G. R. S. IX-5]

Previous references.

1876
~~191~~

(P.G.)

File No. 1

Serial Nos. 1 -12

Later references.

95

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1——12.

Major ~~Part~~ B for March 1877.

SUBJECT.

Prison Conference at Calcutta.

Indexed.

Subbrahmanyam

W D 88—GPB—50,000—24-7-18

P. 2680 v

1876. W. 50.

From The Offg Secretary to the Govt of India

To Home Department

Dated 13th July

Despatched

Received 24th Augt 1876.

ENCLOSURES NO.

General No. 112

No. 115

Drawing attention to the subject of pension deserters and enquiring whether the Commissioner concurs in the expediency of the proposed Committee, & what subjects should be submitted to it and whom he would depute to represent Myore and Coorg. —

No. 11 / 1153

From

ARTHUR HOWELL, Esq.,

Offg. Secretary to the Govt. of India,

To

The Chief Commissioner of Mysore and Coorg.

Home Dept.
Judicial.

Simla, the 13 July 1876.

Sir,

The Governor General in Council desires to invite the attention of Local Governments and Administrations to the subject of prison discipline.

2. In the Supplement to the *Gazette of India* of the 2nd May 1868 a despatch was published in which the Government of India submitted to the Secretary of State a general sketch of the measures of prison reform which had been introduced or were then in course of introduction since the report of the Prison Committee of 1864. The Government of India took occasion to recapitulate the difficulties in the way of a perfect system of prison discipline in this country and the attempts that were still being made to overcome them. In reply, the Secretary of State expressed a hope that the subject would continue to engage the attention of Government and invited a consideration of the principles upon which prison reforms had been carried out in England and which, though possibly not capable of direct application to India, would in many points probably be found more or less suited to the varying circumstances of the different Provinces of India.

3. Since this despatch was published prison discipline has become the subject of legislation in the Imperial Legislative* Council, and in the Madras and Bombay Presidencies, as also in Lower Bengal, there are special Prison Acts. Moreover under the Provincial Service Resolution of the 14th December 1870 the general control of jails has, with the budget allotment for the service, been transferred to Local Governments and Administrations which under the Imperial Acts above referred to have been vested with the power of making separate and independent rules on all points connected with the discipline and management of prisoners. Thus both by law and executive order the introduction of different rules has been authorised and it is probable that there are already considerable differences in practice. The Governor General in Council is of opinion that these differences—many of which may properly follow from differences of climate, habits of the people, character of the criminal classes and other causes that demand special recognition—should be compared and as far as practicable reduced to a minimum not only in view to uniformity of sentences but to facilitate the transfer of prisoners, and especially of European prisoners, from one Province to another.

* Act XXVI of 1870.
Act V of 1871.

4. The Governor General in Council further thinks it desirable that the general features of English jail discipline should be examined with a view to considering whether any of them are generally applicable to the circumstances of India. It will of course be borne in mind that the penal legislation of the two countries is different, and that this difference has arisen from the very different character of the criminal classes in the two countries. This difference of penal legislation, and the inherent differences on which it is founded, as well as the local

and physical causes which make English jail discipline in some respects inapplicable to India, will have to be duly considered. For reasons which are obvious reformatory discipline is applicable in India to a far less degree than in England. This is mainly owing to the very short duration of the large majority of sentences. It is as regards this class of sentences that the most serious enquiry is required. There is too much reason to fear that in consequence of the difficulty of applying stringent discipline to prisoners of this class, their sentences are, in most cases, neither deterrent nor reformatory. A system of discipline which, without being unduly harsh, would make short sentences really deterrent, is the great want of the existing jail system in India. The first step in this direction would seem to be the distinction of prisoners into classes according to length of sentences, *i. e.*, of *(a)* prisoners whose sentences are of very short duration, say under three months; *(b)* those whose sentences are longer, or say under 3 years; and *(c)* those sentenced to long terms. Transportation prisoners would of course form a separate class. If it were found practicable to segregate the separate classes much would be done to facilitate the application of proper jail discipline to each.

5. The main constituents of proper prison discipline seem generally to be suitable buildings, well selected and trained prison officers, adequate inspection and supervision and a proper system of employment, treatment and marks leading in the case of long-term prisoners to remission of sentence. It is also essential that there should be some general means of education for prisoners capable of receiving instruction. On all these points it is desirable that the existing state of things in each Province should be examined and compared and improvements wherever practicable effected. Other points requiring consideration are the best means of employing convicts both extramurally and intramurally with due regard to the requirements of discipline and so as best to repay the cost of maintenance; the treatment of the reconvicted and of habitual offenders; the treatment of discharged convicts and the amount of supervision to which they should be subjected; the treatment of juvenile prisoners and the establishment of reformatories under the recent Act*; the treatment of European prisoners and especially of European military prisoners who have been discharged from the army. The question of the separation of prisoners at night, and the extent to which it may be practicable to enforce it, should be specially considered.

* Act V of 1876.

6. The subject of the health of the prisoners in Indian jails occupied the attention both of the Committee of 1836 and of the Committee of 1864. The statistics appended to the report of the former Committee include only four years from 1833 to 1836. During this period the annual mortality in the Lower Provinces ranged between 73 and 96 per 1,000 and in the Upper Provinces between 37 and 64, as is shown in the following abstract:—

Province.	Average strength.	Number of deaths from			Ratio of deaths from all causes per 1,000 of average strength.
		Ordinary diseases.	Cholera.	Total deaths.	
1833.					
Lower Provinces	19,420	1,349	515	1,864	96
Upper Provinces	20,238	679	70	749	37
1834.					
Lower Provinces	20,008	1,290	394	1,684	84
Upper Provinces	20,906	946	78	1,024	49
1835.					
Lower Provinces	18,720	1,136	231	1,367	73
Upper Provinces	18,807	743	16	759	40
1836.					
Lower Provinces	22,368	1,543	253	1,796	80
Upper Provinces	18,600	1,163	30	1,193	64

The Committee of 1864 showed the average mortality in the jails of certain Provinces during the ten previous years beginning from 1852 :—

Province.	Years included in the 10 years period.	Ratio of mortality per 1,000 of average strength.
Lower Provinces	1853 to 1862	100
North-Western Provinces	1852—56 & 1858—62	86
Punjab	1853—62	48
Madras	1853—62-63	70
Bombay	1852—61	39

Oudh, the Central Provinces, British Burma and Berar were not shown nor were the deaths due to cholera distinguished from those due to other causes. It seems desirable to examine the statistics of sickness and mortality among the prisoners in each Local Government and Administration from the period beginning with the year at which the statistics given by the Committee of 1864 cease; to note what reduction has been effected in them of late as compared with former years; to endeavour to ascertain to what causes this reduction has been due and to devise such further improvements as may be required to place the prisoners in a good sanitary condition. In coming to any conclusions on this point much assistance may be derived from considering the history of individual jails, of some which have been persistently unhealthy and of others also, such as the Central Prison, Lucknow,* which were formerly subject to great sickness and mortality but which of late years have shown a steady and marked improvement. In investigating the sanitary condition of the jails, it will be of advantage also to enquire how far the prevalence of particular diseases and especially of cholera has been diminished and the measures to which this diminution seems properly to be ascribed. The amount of sickness and mortality in the prisons of different Provinces is no doubt influenced to a great extent by such climatic and other causes as affect the health of the general population. But the prison statistics present special and peculiar differences which do not seem to be due to such general causes, *e.g.*, the health of the prisoners in the Oudh jails shows a much better average than in the adjoining Provinces of Behar and the North-Western Provinces. Marked contrasts of this kind call for special enquiry which may lead to beneficial results.

* Statistics of the Central Prison for Oudh at Lucknow.

Year.	Average strength.	Ratio of deaths per 1,000.		
		Cholera.	All other causes.	Total.
1864 ..	....	Not shewn.	Not shewn.	115·0
1865 ..	....	"	"	177·0
1866 ..	2,619	"	"	108·0
1867 ..	1,764	"	"	25·0
1868 ..	1,698	"	10·0	10·0
1869 ..	1,714	1·2	18·0	19·2
1870 ..	1,734	....	31·1	31·1
1871 ..	1,708	....	35·7	35·7
1872 ..	1,686	....	32·6	32·6
1873 ..	1,761	....	22·7	22·7
1874 ..	1,766	....	15·2	15·2

Since the year 1868 inclusive adult convicted criminals sentenced to terms of three years and over have alone been confined in the Central Prison. The number of boys included has been under a hundred.

In the diet scales in force also in the different Provinces there are great variations which require to be considered and their suitability to the different classes of prisoners contrasted and compared.

7. In the financial administration of the jails great discrepancies are found as is shown in the annexed statement of the net average cost to the State of a prisoner in each Province in 1874:—

1 Province.	2 Gross cost per man.	3 Average earnings per man.	4 Net cost to Government per man.
	Rs. A. P.	Rs. A. P.	Rs. A. P.
Madras	83 9 0	28 5 0	55 4 0
Bombay	111 7 0	25 10 0	85 12 0
Bengal	102 14 0	31 6 0	71 8 0
North-Western Provinces	58 2 0	12 1 0	46 0 0
Punjab	72 2 0	12 3 0	59 15 0
Oudh	60 11 0	6 7 0	54 4 0
Central Provinces	61 3 0	13 0 0	48 3 0
British Burma	78 10 0	47 0 0	31 10 0
Assam	125 5 0	24 13 0	100 7 0
Hyderabad	126 8 0	30 3 0	96 5 0

It is probable that a close comparison of the details of management to which these discrepancies are owing may lead to a considerable saving and to other reforms. The proportion of prisoners employed as jail servants and the system of estimating their labour and the real net earnings of the prisoners generally seem especially to require consideration.

8. On all these subjects the Government of India are anxious to receive specific recommendations based on practical experience of the actual working of the jails in each Province, and in this view it is proposed to convene a Prison Committee at Calcutta in the ensuing cold season. The Government of India do not think it necessary to enlarge upon the importance of the enquiry; it is enough to point to the annual prison population concerned which is not less than 2,50,000 souls, to the millions upon whom the deterrent effect of the system is intended to apply, to the large social and economic interests which are affected by the due repression and punishment of crime, and to the heavy responsibility incurred by the Government in assuming the entire control of so large a population during a long period of their lives. I am therefore directed to enquire whether you ——— concur in the expediency of the proposed Committee, what further subjects should be submitted to it, and whom you ——— would depute to represent the Government of Mysore and Coorg. On receipt of your reply the details of the arrangement will be decided upon; meanwhile it is very desirable that local enquiries should be made on the points above indicated.

I have the honour to be,

SIR,

Your most obedient Servant,

Arthur Strachey

Offg. Secretary to the Govt. of India.

9
J.74 b

58

1876.

20

The Judicial Commissioner

Order approved

26-7-76 Ans

Dated 28th July 1876.

Despatched 28 July

No 439 J.74

Calling for certain information in connection with the Jails of this Province.

4 Nos Sent No 1 to 4 27/7/76

To the Commissioner of Police

No 4397
J 46

P. J.
1-7.6

7

M. C. C. O.
28th July 1876.

To Lord Carnarvon

In the proceedings in Accompt
& Appeal No 11/1153 of 13
last June the Appellant for Plaintiff
Anne Dey, Lean Acres & Appellant
has in each proceedings submitted
a Report of the Captain of the Ryelan
Pensioners in the Parish of the Township
that have especially in the Parish
Said, in respect of the several
Points & Issues referred to
in Paras 4 & 7 of that Order.

2- The Capt Captain has stated, That
Many of the Cardroom Land
Owners have in their occupation
the Reserves, allotted in the
Enclosure Act, and that the Ryelan
Pensioners have a right to the Said
Reserves, and that the Cardroom
Land Owners have refused to pay
the Pensioners — There are other
Points & Issues attached to the
Inquiries, & which, the Commissioners
understand, are not Contained
in the Order of Reference, either to
Central or District Courts, and
the Subject of the Pleas have been heard &
determined —

3. I am Suggested that the Statutes
of Limitations

ans of said Expenditure
called for in Paras 6 & 7 of
which the Orders state that
the Grants shall be Limited
said, and the Principal Duties
said of Engineer Officers

Approved
[illegible]
26-7-76

Copd.
R.A.
28/7/76.

1876.77 G. 515-1/2

175

From The Judicial Commissioner
in Mysore

To

Secretary to Chief Commissioner,
General Department.

Dated 25th October 1876.

Despatched

Received

ENCLOSURES NO 5

General No. 1185 Dated 1876—77.

No.

Subject Forwarding Report No 1397 dated 25th October 1876 Regarding reporting in criminal cases by the Superintendents Central Jail Bangalore & Mysore and Assistants Jails, on the subject of Corporal punishment being followed in those Jails.

Sir,

I have the honor to forward herewith the Report No 1397 dated 25th October 1876 from the Superintendent Central Jail Bangalore & Mysore and Assistants Jails, on the subject of Corporal punishment being followed in those Jails.

I have the honor to be
Sir
Your most obedient servant
J. Lewin
Judicial Commissioner
in Mysore

Drafted
JM 18/11/76

No. 1418
183

Mysore Judl. Commissioner's Office
Bangalore 2nd November 1876.

From,

J. D. Gordon Esqr. B. A. S.
Judicial Commissioner
in Mysore.

To,

The Secretary to the
Chief Commissioner
of Mysore.

Sir,

In reply to your letter No. 4397-46 dated 28th July 1876, forwarding for report copy of letter No. 11-1153 of 13th July, from the Government of India, I have the honor to submit for the information of the Chief Commissioner the reports in original of the Superintendents Central Jail, and of the Mysore and Shimoga Jails, and to observe that these reports give a fairly correct description of the system of discipline followed in our Jails.

2. Since the receipt of Dr. Nelgan's report,

report, Dr. Henderson has resumed charge as Superintendent of the Central Jail at Bangalore. As I conclude that this Officer will be deputed to represent this Administration in the Prison Committee to be convened at Calcutta, I have not thought it necessary to call upon him for an expression of his views.

3. The first requisite for a proper system of Jail discipline is, in my opinion, suitable buildings.

4. Classification of prisoners is observed, to some extent, in the Central Jail at Bangalore, where alone there is a well constructed Jail. In the Jails at Mysore and Shimoga, which are in construction defective, it is not possible to secure equal results, but, owing to want of proper buildings, complete and systematic classification and separation of prisoners are impossible.

5. Segregation at night, according to the English system, could be secured only at so great expense as to make it practically impossible, while it may be doubted whether with regard to climate

climate and other considerations in India, such a system would be an unmixed good. In regard to penal discipline I am and have been strongly of opinion that our system is on this point very defective. In June 1875 a proposal was forwarded by this Office at the instance of Dr Henderson for the erection of a House of correction in the Central Jail for the more effective enforcement of penal discipline, but the project was not sanctioned owing to want of funds.

6 I would strongly advocate the carrying out of this proposal, and, if funds admit, I would adopt some similar course with regard to the jails at Mysore and Shimoga. But, even if the experiment be restricted to the Central Jail, it will have an excellent effect on the Majority of long term convicts in the Province.

7 The system of diet and the sanitary statistics are contained in the reports herewith forwarded.

8. The Health of the prisoners is fairly good, and decidedly better than

than in the past at Bangalore and Shimoga —. The Jail at Mysore appears to be unhealthy, and bearing in mind the destined future of this Province, it may be a question for consideration, if the Government is prepared to lay out a large sum on Jail improvement here, — whether it would not be advisable to construct a suitable new Jail at Mysore, or in some more healthy and central position in the Province —.

I have the honor to be,

Sir,

Your most Obedt. Servant.

J. B. Jordan

Jail Commissioner.

1538 - 25th August 1876.
Despatch of Superintendent with Civil Prisoners

1876 / 2536.

From The Lieut. Supt. of Shimoga Jail

To The Secretary to Government

Dated 21 August

Despatched 23 August

Received 25 August

Enclosures None

General No.

No. 6 of 20 } 1876-77.

With reference to letter No 898 of the 1st inst. submits report connected with the Prison discipline & [illegible] of the Shimoga Jail.

No 600.

Shimoga Jail Supt's Office
Shimoga Dated 21st August
1876.

To

The Jud. Com.
in Mysore

Sir,

With reference to your letter No 898/26 of the 1st Instant, forwarding Copy of Secretary's No 6397/46 of the 28th Ult, with enclosure, I have the honor to submit the following report connected with the prison discipline of this Jail.

System of discipline.

The system of discipline adopted in this Jail, is, as far as circumstances will allow, in accordance with that in the Central Jail, and has been improved last year after Dr Mulgaonis return from officiating at the Central Jail.

Here improvements though perhaps small in themselves have tended to bring the Prisoners under better supervision. They are, drilling the new-

admissions, having the No of wards, Class, No of occupation & Register Nos on their Cards, as well as distinguishing marks for recommittals and bad characters.

Owing to the greater part of the work being extramural, any distinction in the way of Classes has been found to be almost impracticable, and until intramural work is more resorted to (which will in all probability be the case when the new work shed is built) — no attempt at Classification can be made. The most remunerative work being that of Carpentry & smithy, the long term prisoners are mainly employed on these. The short term men are for the most part employed on extramural work, which in only a few cases can be task work, in consequence of which their sentences are not sufficiently reformatory. This could be remedied to a great extent, if measures not dependent on local influences were to become matter of routine.

Distinction of Classes.

	Above 3 months & not exceeding 3 years	Above 3 years
Under 3 months.		
119.33	178.67	62.67

The table annexed in the margin

shows the average No of Prisoners under 17 7
different Classes, for the last 3 years.
4

Recommittals. Recommittals as a rule are during the day separated from other prisoners and put to finding 30 lbs of Raggi in separate confinement as there is always a certain No of prisoners required for this work, and it has been found to work well with this class of prisoners having a stringent effect on them.

Suitable buildings. Although the Jail building is sufficient to accommodate the No intended for them, yet the conformation is such as will not permit of strict supervision, and therefore the maintenance of strict discipline is thwarted, and moreover to employ a larger number of long termed men indoor would require more working accommodation, which at present does not exist.

Treatment & marks. No marks are awarded to prisoners in this Jail from the division of extra and extra-mural works of which the latter claims

the majority of men.

This is carried on in classes within the barrack enclosures half an hour every evening, and those Convicts who have a knowledge of the language (Canarese principally) are employed to teach the others, but the general progress is rather slow owing to the time allowed for learning being short as above stated.

Education.

Referring to the statistics of the last five years, the health of the prisoners has been good the daily average No of sick being 4.87 with 22 deaths giving 12.70 ÷ as Ratio of mortality per 1000 of average strength.

This year on account of the outbreak of Cholera the average sick & mortality will be greater, as up to the end of July there have been 11.27 & 18 deaths respectively.

Expenditure.

Health

Description				
Total No. of the days	160	74	116	174	304
Average daily sick	5.19	2.72	6.10	4.21	6.16
Number of deaths	10	2	3	3	4
	1881	1881	1881	1881	1881

* 2 cases 1 suicide 1 accidental death — 1 death from cholera

| | | |

1546-26 August 1876.
Superintendent Mysore

90

1876. No 535

From

The Superintendent,

Mysore Jail.

To The Judicial Commissioner Bangalore

Dated 22 August 76

Despatched 24 August 76

Received 25

Enclosures No. Two

General No. 436 / *No.* } 1876

Judl Commr's Circ. No 895-26 Aug 1876.

Report regarding the disposal of property found on the Mysore Road.

Superintendent Mysore Jail

Regd

7 #

No 136.-

97

To,

The Judicial Commissioner

Bangalore

Sir,

In compliance with your letter No 4397/46 dated 28th July 76, I have the honor to offer some remarks on the subject of prison discipline in so far as it affects the inmates of the Mysore Jail (Vide Govt letter No 11/1053 dated 13th July 1876.)

As respects the segregation of different classes I have to state that while it is systematically carried out as might the circumstances of this jail do not admit of it being followed during the day except in special instances.

During the night prisoners sentenced to 3 years rigorous imprisonment and upwards are accommodated in the largest compartment (containing those from one month to 3 years) in a smaller compartment No 2

those from 3 months inclusive to one year and those under 3 months in the compartments known respectively as Medical and Hospital, but not in the Lower wards as the Medical or the sick. Simple prisoners have one or two wards to themselves in the (so called) Hospital compartment.

The female compartment though a part of the main jail has a separate Entrance. The numbers are very few but the compartment is small having only 2 wards and a work Shop. Distribution according to classes cannot be followed even at night and there is the further inconvenience that one ward has occasionally to be abandoned to female debtors.

Male debtors are suitably accommodated in a building recently erected for them.

Segregation of classes during the day might to a certain extent be obtained

by additions to the building but the jail is old and defective in plan and it therefore does not seem desirable to incur great expenditure in attempts at improvement.

If alterations or additions were actually carried out admitting of the distribution of the prisoners in cells or in compartments according to class the provision of suitable employment would be found to offer no little difficulty. As regards articles manufactured at the jail it has usually been found impossible to compete with the local market and in the last year or two since the opening of a large workshop by the palace authorities the demand for carpets, cloths, mats &c of prison make has greatly diminished and a corresponding reduction of manufactory hands has therefore been necessitated.

All the rags for jail use is ground in the punctive cells (8) by prisoners

who have been classified agreeably to your circular № 103 of 21st April 1875.

Under the same rule gangs of prisoners are employed in conservancy operations and also in this jail arduous task of water carrying. The remainder are usually occupied in filling the ground, carrying earth for the improvement of the garden and similar work and while so employed it has not been found possible to maintain a distinction of classes.

If fitting labor and intelligent supervision could be readily provided on extramural works no doubt a fair amount of work could daily be exacted from each prisoner and attempts at classification would be likely to succeed.

The permanent jail establishment consists of a Jailor, a Hospital Assistant, a Writer, a Jemadar, 2 Duffadars, and 27 Peons. The higher officials are intelligent and well conducted but much dependence cannot be

Blackenridge

rule be placed in the class of jemadars. The pay (6 Rs) is not sufficient to attract superior men and the responsible nature of the duty makes the post somewhat unpopular. Constant supervision is required to check carelessness or abuse of authority.

Of late years about an hour daily has been devoted to education. The instruction is elementary only and the teachers usually Brahmins are selected from amongst the prisoners. Canarese only is taught. Owing to the limited stay in jail of short term prisoners they derive little benefit from education but there appears to be steady though slow progress in the case of those who are imprisoned for long periods. The average daily number attending school during the last five years is 205 out of a daily average of 259.

Referring to juvenile prisoners I have to state that they are rarely admitted into this jail and therefore as reported in my letter to the commissioner

96

No 57 dated 31st May/76, no experience has been acquired regarding flogging. A few under terms of Judicial Commissioners order No 7 of 28th June 1871 were transferred to the reformatory school at Bangalore, but there are at present none in this jail.

As regards the treatment of reconvicted and of habitual offenders I beg to refer to my letter No 291 of 18th December/74, copy of which is attached.

With reference to the health of the prisoners I append a table of mortality for 11 years viz from 1865 to 1875 both years inclusive.

The ratio of deaths is high but the district is malarious and a large number of prisoners enter jail in indifferent or indeed health.

The altered circumstances of jail life undoubtedly in some instances cause deterioration of health but as a rule a healthy person does not degenerate physically during his

=term of confinement.

The ratio of deaths is highest in the year 1868 in explanation of which it may be stated that in that and especially in the preceding year there was a scarcity of food grains and therefore as remarked by the Judicial officer many on entering jail appeared as if half starved. The disease up to about the close of 1868 was not sufficiently invigorating or nutritious and there is no doubt that improvement in the diet was succeeded by improvement in the general health.

The year 1875 shows the next highest ratio of mortality but in that year cholera was very prevalent in the district and a sharp outbreak occurred in the jail to which 15 prisoners succumbed.

The diet scale underwent much improvement in the year 1868 but it appears desirable to make further alterations both as regards nutrition and variety. The subject is being

investigated by the Deputy Surgeon Genl
and it is therefore unnecessary to
make any suggestions here.

Adverting to para 7 of the Government
letter I submit a statement of the
net-average cost of a prisoner for
each year beginning from 1871.

The average cash earnings per
man shew a low figure but it must
be remembered that every person
sentenced to rigorous imprisonment
has been considered in the calcu-
-lation and that no allowance
has been made for the non-effectives
as sick and infirm.

The profits have fallen of late owing
to less demand for jail articles and
to the increasing difficulty of procuring
raw materials on the spot at reasonable
rates. In last year during Cholera
time the necessity of employing trained
hands
manufactory elsewhere had an
unfavorable effect on profits.

This report has been hurriedly
drawn up and is very imperfect

I was unwilling however to leave the station without submitting it but I have not been able to devote that time to the subject which I am aware its importance demands.

I have the honor to be
Sir,
Your most obed.t Servt
Houston. M. D.
Surgeon Major.
Superintendent
Mysore Jail

Mysore
22.nd August
1876.

No. 210 Mysore Jail Office 18th Dec.r/74

12

From

The Superintendent

Mysore Jail

To,

The Commissioner

Nobtagram Division

Sir,

I have the honor to forward a list of Re-convicted prisoners in Jail as called for in your letter No. 824 of 8th December forwarding a copy of the Judicial Commissioner's No. 1673/36 of 30th October and the Chief Commissioner's review on the Jail administration for the year 1873.

The average number of Re-convicted in the Mysore Jail from 1st January to the present date is 12-22

*15-4

With regard to the employment of this class, I may remark that it has never been the practice here to employ these prisoners on manufactures. The object has always been to give them as far as practicable a dislike to jail life by assigning them the hardest labor compatible with their state of health or such labor as from its nature may be expected to prove unpleasant and distasteful.

As will be seen by reference to the list the chief occupations are Ragi grinding Water carrying, earth work, and scavenging. Of these works in this Jail, water carrying is in the dry season perhaps the most irksome as the supply has to be taken from a great distance but the other tasks are in my opinion sufficiently hard both for Re-convicts and for those undergoing imprisonment for serious and heinous offences." It is very necessary however always to bear in mind that many of the prisoners in my zone are in an indifferent state of health and it is therefore essential to guard against the possibility of any man being taxed beyond his powers.

The explanation of the large number of Re-convicts appears to be, judging from the list that prisoners after leaving Jail, fail to furnish security and no doubt as pointed out by Colonel Pearse the "moral brand upon them" makes it difficult for them to obtain work."

Have &c &c
Sd/ J. Houston
Supdt of Jail

"Copy"
Houston.
Superintendent
Mysore Jail

List of Convicted Prisoners in the Mysore Ja

No	Register No.	Name	Crime and term of Sentence
1	4026	Erapah	6 months Rigorous imprisonm
	4070	Poollah	2 years do do
	4094	Chennah	6 months do do
	4250	Kurrimmiah	18 do do do
	4020	Kadah	1 Year do do for fai
	4039	Govindah	6 months do do
	3838	Bore Gunkeriah	1 Year do do
	3684	Venkétramanah	15 months do do
	4041	Poollah	4 do do do
	4000	Goovovah	6 Months do do for
	3717	Kalah	5 Years do do for
	3969	Narayana	1 do do do for
	4027	Chennerah	7½ months do do for
	3970	Ayah	1 Year do do
	2890	Chennahoyee	5 do do do for
	3988	Soobbah	6 months do do for
	3285	Naranah	3 Years do do for
	3556	Keelah	2 do do do for
	3771	Linga Gowda	3 do do do for
	3916	Lingah	9 months do do for
	3783	Honnah	1 Years Simple do for
	3892	Ramanjee	2 do Rigorous do for
	3740	Kindah	1 do do for Failin
	4098	Thoyyah	4 Months do do for
	3828	Bellachari	1 Years Simple do for
	3739	D. Kattah	1 do Rigorous do for
	4013	Ramchully	7 do do do for Ca
	4011	Poollingee	2 do do do for
	4101	Soobbah	1 do do do for
	4107	Santiah	1 do do do for

se Jail

l from 1st January to 15th December 1874.

32/19 2-/4

	Nature of work employed on	Remarks
h for theft	Earth work	
for House breaking	do	
er do	Water carrying	
or theft	Scavenging	
ing to furnish securities	do	
for good behaviour	do	
or theft	Earth work	
or do	do	
do	do	
do	do	
ailing to F. S. for good behaving	Water carrying	
Dacoity	do	
iling to F. S. for G. B.	do	
theft	do	
do	do	
Dacoity	Ragi grinding	
theft	do	
Dacoity	Water carrying	
House breaking	Scavenging	
False charge	Earth work	
Theft	Ragi grinding	
iling to F. S. for G. B.	Earth work	
Theft	Water carrying	
to furnish S. for G. B.	do	
House trespass	do	
iling to F. S. for G. B.	do	
heft	Earth work	
using hurt	do	
eiving Stolen property	Scavenging	
use breaking	do	
do	Ragi grinding	

Province		Average strength	Number of deaths from			Ratio of deaths from all causes per 1000 of average strength.
			Ordinary diseases	Cholera	Total deaths	
24	1865	328·263	23	"	23	70·065
	1866	358·265	13	2	15	36·825
	1867	431·860	26	"	26	60·204
	1868	357·142	52	"	52	145·603
	1869	263·596	16	"	16	64·192
	1870	218·312	2	"	2	8·051
	1871	267·139	12	1	13	48·663
	1872	296·725	5	"	5	16·850
	1873	280·172	12	"	12	42·838
	1874	298·701	16	"	16	53·529
	1875	278·938	16	15	31	111·135

Expenditure

27 15

Bryanston Jail	Gross Cost per head of average Strength			Actual cash earnings per head of average Strength			Net Cost to Government		
1871	84	5	9	3	15	11	80	5	10
1872	78	-	1	5	2	9	72	13	4
1873	83	10	1	4	1	3	79	8	10
1874	103	11	11	7	2	5	96	9	6
1875	81	4	6	5	1	5	76	3	1

Written Summary, attached 13th Septr

28

1870. 12 73

Bangalore Central Jail,
Superintendent's Office.

From

The Superintendent
Central Jail, Bangalore.

To The Judl Comr
of Mysore

Dated 12 Sept 1870.

Received

Enclosures No. 3

No. 851

Subject.

Heidoc Statt. 1201/37
dated 7th Sept 1870.

Have the honor to forward a printed Copy of Report by Dr Hall on the subject Referred to in the above.

I have the
Sir
Your most obedient
humble Servant
Superintendent
Central Jail

to gether with two Spare Copies

4 39/6

CENTRAL JAIL.
SUPERINTENDENT'S OFFICE,
Bangalore, 22nd August 1876.

From

SURGEON T. J. MCGANN,
Offg. Superintendent, Central Jail.

To

J. D. GORDON, ESQ., C. S. I.,
Judicial Commissioner of Mysore.

SIR,

In acknowledging the receipt of your letter No. $\frac{898}{126}$ dated the 1st August 1876 forwarding for report a copy of a letter from the Government of India, I have the honor to state that the system carried out in this Jail is briefly as follows:—

Convicts sentenced to 2 years and over are designated long term prisoners; those sentenced to under two years are called short term prisoners.

The meaning of the words Recommittals, Under trial, Committed to Session, Simple and Civil, as applied to the inmates of a Jail are obvious.

All convicted prisoners on arrival undergo the conditions laid down in paras 2. 3. and 4 of the Jail rules.

To render what I am about to say the more intelligible I shall quote from Dr. Henderson's annual report for 1871.

"The latest developement of convict management includes three periods, in each of which, there is a special purpose arrived at or to be attained, and which needs to be attended to alone.

These periods are, one of Punishment, one of compulsory Industry, and one in which some play is given to the will and impulses of the individual, in view of strengthening these or making them ready for use on his release.

Here we begin with as it were, and have means for attending to the second period only. The other two which are equally necessary are scarcely recognized objectively.

It is here endeavoured to keep them in mind, and to treat the man as though he were undergoing a certain time in each; subjecting him to a short period of deprivation to begin with, and again at such times as may be required; then constraining him as it were to habits of industry and regular conduct; and, in the end before release, encouraging him to adopt the obligations and allowing him some of the privileges of a free man." The Irish system, that of Sir Walter Crofton, is evidently alluded to here.

New admissions, long term, are placed, the first week in cells, on non-labour-

ing diet, cleaning fetters, picking coir or other light but uninteresting work; the second week, they are placed in separation in No. 2 Shed, with 16 seers of raggi to grind daily and on short term diet; the third week, they work in the garden, and the fourth week they go to raggi grinding (25 seers each) in association, still on short term diet.

After this preliminary stage of punition and privation, if their conduct has been good, they are placed on B class diet for the five subsequent months, but are now considered eligible (necessarily so for want of means to continue them in separation) for transfer to the associate prison, to work at one of the industrial occupations or trades going on there, or to earth work in the garden according as the requirements of the prison demand, or their personal aptitude or physical conditions indicate.

Good conduct list.

Prisoners who have conducted themselves in an exemplary manner and have worked well are, as a rule, placed on the 2nd class good conduct list, with removal of one leg ring, on expiration of half their sentences; and if still deserving of further promotion are removed from the 2nd, one year afterwards, to the 1st Class list, and the second ring is taken off. These classes are exempted from certain meanial and fatigue duties, and the distinction is eagerly sought for, and are undoubtedly incentives to good behaviour and industry.

Promotion to Warders and head Warders is made from those on the good conduct list. The head warders, if found active, intelligent and capable of keeping their accounts properly, are permitted as a further privilege to wear a small turban instead of the ordinary prison cap and besides possess a special badge.

Marks for Pay.

Marks for pay are granted to long term prisoners according to the following scale :—

4 years and upwards when within 2 years of release.
3 and under 4 years when half the sentence is completed.
2 and „ 3 „ when within 6 months of release.

Their behaviour both as regards discipline and industry, must have been good for 6 months previously, and they must be able to read in the 3rd class at school, if not the latter, their admission to the mark list is postponed 1 year, 6 months, and 3 months respectively.

The mark system has been in operation in this Jail for some years; Dr. Henderson thinks (and so do I) that it has been of great service and benefit. In his Annual report for 1871 Dr. Henderson remarks regarding it as follows:—

"The benefits from it under my own eye are very great, greater diligence, greater attention, better work; and more returns; and remotely, one may assume some good and grateful influence upon the man for his future life, as well as the actual supply to him of his immediate wants on his release by the money he is permitted to earn."

"These little Earnings must give to the man a feeling of, and some actual independence in his renewed start in life, and supply him with the necessities of

living, and as well, it is to be hoped, with some self respect, the want of which cannot but be often felt by men emerging from Prison, and is such an impediment to future well doing and so likely to cause relapse into crime. Many have made extra exertions at their work and thereby earned extra marks. No Man has returned to Jail as yet to whom earnings have been given, but no doubt this may sometime occur." This has occurred since the above report was written.

It is to be remarked, however, and I think with regret, that no amount of good conduct or any number of marks whatsoever, leads as a rule to remission, unconditional or conditional, of a portion of the convicts sentence.

Short term Prisoners.

Short term prisoners, not being recommittals, undergo a penal stage, but they never advance beyond B class diet unless for special reasons, nor are they put to trades in the Jail.

Recommittals.

The number of recommittals remaining at the end of last year was 146, some were received from other Jails but the majority is properly debitable to the Cantonment and Pettah of Bangalore. After speaking of the specially punitive and severe measures adopted in regard to this class of criminals, and the ignominious and disagreeable duties they are set to, and the apparent impossibility of reforming them, Dr. Henderson remarks in his last annual report: "No treatment will avail which does not include separation as its main feature," and in this I quite agree.

Recommittals as a class are not permitted to be engaged in any of the industrial occupations in the Jail. On 2nd admission they have wrist and ankle rings and fetters placed on them, and commence with one month in separation, grinding 25 seers of raggi per day. On 3rd admission, they wear the Penal dress, *viz*, black and yellow cap, rings on the wrist and ankles, and fetters, and 2 months in separation, with 25 seers of raggi; on 4th admission penal dress, separation with full amount of work for a longer period than the last if accomodation permit.

They are kept on short term diet throughout unless for special reasons. They are put to the most disagreeable and laborious duties *viz*., scavenging, and raggi grinding, changing from one to the other week about. Any not capable of being employed on these are sent to the hardest work procurable elsewhere.

They certainly have a hard time of it in the Jail, yet I fear it cannot be said that reformation is effected in many, if any, of them. To the question, why, many solutions might be attempted; some are innately vicious and depraved, some are rendered so by early training and precept, but exclusive of these, I think the graduated system of punishment hitherto in vogue has had much to say to fostering if not creating a special criminal class, in as much as the very short sentences at first, gradually lengthened afterwards, innure them to prison life which after a time ceases to be terrible to them. The more especially when, as in most Indian prisons, proper means for carrying out deterrent as well as reformatory principles are absent, a matter to which I shall again allude further on. Throughout their periods of sentence reconvicted prisoners are kept in separation as much as an associate prison will admit of.

Prisoners whose sentences are of short duration are confined as much as pos-

Classification.

sible to two out of the six barracks. Men under sentence of transportation, and others of the longest sentences and in for the most heinous offences, are kept as much as practicable in the wards next the central or watch tower.

This is as much as can be attempted in a prison built on the associate plan such as this is, and where accomodation is limited.

The Simple and Infirm occupy a separate portion of the Jail enclosure, and in this also are located the old thugs who are in more for simple detention than actual punishment.

The Civil prisoners or debtors occupy a building situated in the same enclosure as the cells or wards for Europeans. Prisoners committed to Sessions are also confined in this portion of the Jail. These latter arrangements are of course objectionable if they could be avoided.

The women occupy another angle of the Jail enclosure but because of the plan of the premises in which they are located segregation is impracticable.

The Juvenile prison, situated just outside the main wall, is designed for associate purposes and segregation cannot be carried out.

This brief and necessarily imperfect sketch of the outline of prison management I consider it necessary to give, before adverting to the letter of the Government of India under reply.

With reference to para 4 of the letter, the best system of prison management, as regards the punishment and reformation of criminals, of which I have any knowledge is that pursued in Ireland, and known as Sir Walter Crofton's, with the principles of which most Jail Officers are conversants. It is divided into three steps, 1st penal, 2nd compulsory industry, and 3rd special training to fit the man for release.

The 1st is carried out in separation in the cellular prison at Mount-joy under very penal conditions, the minimum term being 8 months; that is, if the convicts conduct is quite unexceptionable, he would be entitled to removal to an associated prison in that time, otherwise his detention would be further prolonged.

The second stage is carried out in Smithfield or Spike Island; in the former, if the prisoner is a handicraftsman or too weak for hard labour, in the latter if an able bodied man of no trade. Here the prisoner begins at the lowest rung of the ladder, so to speak, and works his way upwards. A minimum length of detention is exacted here, as in the 1st stage, but exclusive of that the man's progress depends on himself and acts as a wholesome stimulus to good behaviour and industry at labour and school. A certain class and number of marks must be attained by each convict before he can be removed to the 3rd or Intermediate stage. "In this third stage there are no marks. The result of the self discipline effected in their attainment is here to be tested before the liberation of the convict. *Individualization* is the ruling principle in all stages. In the Intermediate prison at Lusk, the training is special, and the man's position is made as natural as possible, no more restraint is exercised over him than would be necessary to maintain order in

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any well regulated establishment." This last may sound odd to many but there is the fact. After a stipulated period in the 3rd stage, if still of unexceptionable conduct, he is eligible to a remission of a certain portion of his sentence on License, if not he will be returned to Spike Island or Mountjoy, as the case may be. The leading principle of this system is, subduing the refractory, punishing him for what he has done, and deterring him and others from the commission of crime in future; secondly, to amend him by teaching him habits of industry and self reliance; and, thirdly, to train him naturally before release, and this the 3rd stage does by softening the transition from perfect restraint to perfect freedom. In all a mark system for conduct, industry, &c., prevails, but in the second, they are permitted to earn a certain sum weekly in addition.

A noticeable feature, and also one in which it contrasts strongly with the Indian system, is that *labour sentences* may be said to be practicably substituted for *time* sentences. The latter robs a man of responsibility and his only object is to kill time and do as little as is compatible with keeping out of trouble.

Now, I see no reason, even though penal legislation in England and India may differ, or even though the character of the criminal classes in the two countries may be also different, why a system of Jail discipline similar to that adverted to above should be inapplicable to this country. There are no local or physical causes to preclude its adoption, so far I know. That there are not is proved by the experience of the Bangalore Jail, where Dr. Henderson has pursued for some years past a plan based in the main on the Irish system as far as circumstances, *i. e.*, suitable buildings admit of it, and it is not improbable that he had the more thorough introduction of the system in view when he addressed to you his letter No. 503 of the 10th of June 1875, advocating the construction of a "House of correction" for more purely punitive purposes. Possibly, as stated in para 4 of letter $\frac{11}{1153}$, reformatory discipline may be less applicable in India than in England, but to be certain that such is the case, it should be attempted under more favourable auspices than it has been hitherto. Short sentences are not reformatory but they can be made really deterrent if the separate or cellular system of Jail discipline were more largely adopted.

Assuming the statement, that 'one day of separate confinement is equal to three days associated imprisonment' to be practically correct, the adoption of the separate system would cause the reduction of two-thirds in the present periods of imprisonment. In this way the pressure in Jails would be relieved, crime punished, and economy effected.

The distinction of prisoners into classes, adverted to in clauses *a*, *b*, and *c*, of para 4, is carried out here as well as the plan of the Jail and available space admit of it; but, beyond certain limits, the advantages of arbitrary classification of prisoners according to length of sentences &c., are generally over estimated.

Dr. Heard in his report on the Central Jail for 1868, remarks, that 'even though it would be well to shut up all the petty thieves and cheats together,' he does not think it would be well to confine dacoits or homicides together, the present plan of mixing them with other (long term) prisoners is more likely to defeat any effort at combination, and, though they are doubtless the most enterprising

and energetic of the criminal classes, they, as far his experience went, were by no means the most vicious; indeed the highwayman or homicide is more likely to be contaminated by association with the short term thief than the latter by association with him;' with these observations in the main I agree.

Para 5 of letter No. 11 1153

The great want in this prison is suitable buildings to carry out the separate system as a preliminary to everything, and capable of being again resorted when required. Inspection and supervision are as faultless in this as they well can be in an Indian Jail where most of the lower subordinates are venal.

Copy of rules attached hereto.

As previously mentioned, the Mark system for pay has been in existence in this Jail for some years, and has answered its purposes admirably, *i. e.*, as a stimulus to good conduct and industry at work and school, but it is, I think, to be regretted that it has never been permitted to qualify for remission of portion of sentence. The remission need not necessarily be absolute or unconditional; remission on license subject to police surveillance and revocation on sufficient grounds would perhaps be the better of the two in the majority of cases, as, most probably, according to Mr. Recorder Hill, imperfectly reformed convicts are frequently deterred from the commission of crime by this power of revocation.

Well selected and trained officers are indispensable to the proper working of a prison in all its aspects, *viz.*, punishment, reformation, discipline and general economy, and a combination of qualities which it is given to but few to possess is demanded, but which nevertheless judging from circumstances, are supposed to be existent in the many.

As regards Employment; I would apprehend no difficulty on that score in this Jail if sufficient cell accommodation were provided to permit every long term prisoner undergoing 8 months separation at least to begin with; then if well conducted, transferring him to industrial work or trades, in association, where plenty of hard and at the same time remunerative labour would be available; and finally if found deserving, adopting some measures similar to the 3rd stage of the Irish system, such as work in the garden or in the public parks &c. If the cost of maintenance can even be repaid in this country (which one may doubt), it may be when *labour sentences* are substituted for *time sentences*, and when the separate system is so largely adopted that all short term prisoners, whose services are, as a rule, but of little value, can be kept apart and punished so effectively that they will not readily return. And any system of Jail discipline which will effect this, no matter how costly the buildings may be in the first instance necessary to carry it out, will be real economy in the end. This will be very evident by a glance at the number of convicts undergoing sentence in the Irish prisons in 1875, as compared with 1853 when Captain Crofton's system was first introduced.

I have spoken previously of the treatment which reconvicted and habitual criminals are subjected to in this Jail, and I have also just mentioned what I should recommend for them in future; you are already in possession of my views regarding the treatment of Juvenile prisoners, vide my letter No. 479 dated 15th May 1876.

7

An eminent authority says that although it may not be more difficult to reform Juvenile than adult prisoners, yet, that when changed, the reformation is more likely to be permanent in the latter.

There are no very good means available in this Jail for the proper confinement and punishment (that is suitable labour) of European prisoners, and, as the number is never likely to be large under the circumstances of the Province, it will perhaps be always better to transfer any such to one of the large Jails of the Madras Presidency specially fitted for their reception.

Para 6 of letter No. $\frac{11}{1153}$

The health of the inmates of this Jail has not as a rule been very satisfactory, vide accompanying tables of sickness and mortality for the past five years. Those employed extramurally have been more healthy than those inside. The following is an extract from Dy. Surgeon General Dr. George Smith's remarks on the occasion of his visit of inspection to the Jail in March last: "As a whole the prisoners looked clean, well fed, well cared for, and free from cutaneous diseases. The majority appeared to be in good health, but a not inconsiderable minority gave evidence of impaired health from malarial action. This was shown by the presence of an anæmic state of the skin and mucous membranes of the eye and mouth, by a tendency to congestion of the gums, and in some cases, by a more or less distinct swelling of the feet. Some of these prisoners on admission had Malarial cachexia well marked, and have benefited by residence in jail, a fact not contradictory of that other fact that prisoners admitted to jail in good health sometimes develope malarial cachexia by long residence in it. The Jail has not escaped the general Endemic Fever influence of the Mysore plateau." It appeared to me, however, that there was more than mere malarial influence in operation, and, on examining the condition of the prisoners, and looking into the diet scales in use, that there was some dificiency in the nitrogenous elements of the latter, and I accordingly made a representation on the subject to the Judicial Commissioner. The meat allowance includes bone, which latter I recommended should be omitted in the calculation in future, while the vegetables were capable of some reduction. A copy of the diet scales is herewith forwarded, as are also statistics of the Jail expenditure for the past five years.

I have the honor to be
Sir,
Your Most Obedient Servant,

T. J. McGann,
Offg. Superintendent,
Central Jail.

Cost for diet per prisoner	for	1871	26	14	7
do. do.	for	1872	27	13	0
do. do.	for	1873	30	8	9
do. do.	for	1874	31	4	10
do. do.	for	1875	30	2	3

Table of sickness and mortality for 5 years from 1871 to 1875.

	1871	1872	1873	1874	1875	
Total Prison Population ...	1566	1561	1419	1399	1250	
Average strength of Prisoners ...	727	734	741	735	690	
" Sick for the period ...	20	21½	20	23	15	
Ratio of percentage of average sick to average strength ...	2·751	2·929	2·699	3·129	2·173	
Total number of deaths ...	10	16	8	16	7+1=8	* Out of Hospital by accidental drowning.
Percentage of deaths to T. P. P. ...	·638	1·024	·563	1·143	·56	
Do. Do. on daily average strength	1·375	2·179	1·079	2·175	1·014	
Do. Do. to total treated ...	1·919	2·069	1·956	2·758	1·470	

(A true extract.)

T. J. McGann,
Offg. Superintendent,
Central Jail.

47

CENTRAL JAIL.

SUPERINTENDENT'S OFFICE,

Bangalore, 22nd August 1876.

From

SURGEON T. J. MCGANN,

Offg. Superintendent, Central Jail.

To

J. D. GORDON, ESQ., C. S. I.,

Judicial Commissioner of Mysore.

SIR,

In acknowledging the receipt of your letter No. $\frac{898}{28}$ dated the 1st August 1876 forwarding for report a copy of a letter from the Government of India I have the honor to state that the system carried out in this Jail is briefly as follows :—

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The meaning of the words Recommittals, Under trial, Committed to Session, Simple and Civil, as applied to the inmates of a Jail are obvious.

All convicted prisoners on arrival undergo the conditions laid down in paras 2, 3, and 4 of the Jail rules.

To render what I am about to say the more intelligible I shall quote from Dr. Henderson's annual report for 1871.

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Prisoners who have conducted themselves in an exemplary manner and have worked well are, as a rule, placed on the 2nd class good conduct list, with removal of one leg ring, on expiration of half their sentences; and if still deserving of further promotion are removed from the 2nd, one year afterwards, to the 1st Class list, and the second ring is taken off. These classes are exempted from certain menial and fatigue duties, and the distinction is eagerly sought for, and are undoubtedly incentives to good behaviour and industry.

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The mark system has been in operation in this Jail for some years; Dr. Henderson thinks (and so do I) that it has been of great service and benefit. In his Annual report for 1871 Dr. Henderson remarks regarding it as follows:—

"The benefits from it under my own eye are very great, greater diligence, greater attention, better work, and more returns; and remotely, one may assume some good and grateful influence upon the man for his future life, as well as the actual supply to him of his immediate wants on his release, by the money he is permitted to earn."

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The Juvenile prison, situated just outside the main wall, is designed for associate purposes and segregation cannot be carried out.

This brief and necessarily imperfect sketch of the outline of prison management I consider it necessary to give, before adverting to the letter of the Government of India under reply.

With reference to para 4 of the letter, the best system of prison management, as regards the punishment and reformation of criminals, of which I have any knowledge is that pursued in Ireland, and known as Sir Walter Crofton's, with the principles of which most Jail Officers are conversant. It is divided into three steps, 1st penal, 2nd compulsory industry, and 3rd special training to fit the man for release.

The 1st is carried out in separation in the cellular prison at Mount-joy under very penal conditions, the minimum term being 8 months; that is, if the convicts conduct is quite unexceptionable, he would be entitled to removal to an associated prison in that time, otherwise his detention would be further prolonged.

The second stage is carried out in Smithfield or Spike Island; in the former, if the prisoner is a handicraftsman or too weak for hard labour, in the latter if an able bodied man of no trade. Here the prisoner begins at the lowest rung of the ladder, so to speak, and works his way upwards. A minimum length of detention is exacted here, as in the 1st stage, but exclusive of that the man's progress depends on himself and acts as a wholesome stimulus to good behaviour and industry at labour and school. A certain class and number of marks must be attained by each convict before he can be removed to the 3rd or Intermediate stage. "In this third stage there are no marks. The result of the self discipline effected in their attainment is here to be tested before the liberation of the convict. *Individualization* is the ruling principle in all stages. In the Intermediate prison at Lusk, the training is special, and the man's position is made as natural as possible, no more restraint is exercised over him than would be necessary to maintain order in

any well regulated establishment." This last may sound odd to many but there is the fact. After a stipulated period in the 3rd stage, if still of unexceptionable conduct, he is eligible to a remission of a certain portion of his sentence on License, if not he will be returned to Spike Island or Mountjoy, as the case may be. The leading principle of this system is, subduing the refractory, punishing him for what he has done, and deterring him and others from the commission of crime in future; secondly, to amend him by teaching him habits of industry and self reliance; and, thirdly, to train him naturally before release, and this the 3rd stage does by softening the transition from perfect restraint to perfect freedom. In all a mark system for conduct, industry, &c., prevails, but in the second, they are permitted to earn a certain sum weekly in addition.

A noticeable feature, and also one in which it contrasts strongly with the Indian system, is that *labour sentences* may be said to be practicably substituted for *time* sentences. The latter robs a man of responsibility and his only object is to kill time and do as little as is compatible with keeping out of trouble.

Now, I see no reason, even though penal legislation in England and India may differ, or even though the character of the criminal classes in the two countries may be also different, why a system of Jail discipline similar to that adverted to above should be inapplicable to this country. There are no local or physical causes to preclude its adoption, so far I know. That there are not is proved by the experience of the Bangalore Jail, where Dr. Henderson has pursued for some years past a plan based in the main on the Irish system as far as circumstances, *i. e.*, suitable buildings admit of it, and it is not improbable that he had the more thorough introduction of the system in view when he addressed to you his letter No. 503 of the 10th of June 1875, advocating the construction of a "House of correction" for more purely punitive purposes. Possibly, as stated in para 4 of letter under reply, reformatory discipline may be less applicable in India than in England, but to be certain that such is the case, it should be attempted under more favourable auspices than it has been hitherto. Short sentences are not reformatory but they can be made really deterrent if the separate or cellular system of Jail discipline were more largely adopted.

Assuming the statement, that 'one day of separate confinement is equal to three days associated imprisonment' to be practically correct, the adoption of the separate system would cause the reduction of two-thirds in the present periods of imprisonment. In this way the pressure in Jails would be relieved, crime punished, and economy effected.

The distinction of prisoners into classes, adverted to in clauses *a*, *b*, and *c*, of para 4, is carried out here as well as the plan of the Jail and available space admit of it; but, beyond certain limits, the advantages of arbitrary classification of prisoners according to length of sentences &c., are generally over estimated.

Dr. Heard in his report on the Central Jail for 1868, remarks, that 'even though it would be well to shut up all the petty thieves and cheats together, he does not think it would be well to confine dacoits or homicides together, the present plan of mixing them with other (long term) prisoners is more likely to defeat any effort at combination, and, though they are doubtless the most enterprising

and energetic of the criminal classes, they, as far his experience went, were by no means the most vicious; indeed the highwayman or homicide is more likely to be contaminated by association with the short term thief than the latter by association with him;' with these observations in the main I agree.

The great want in this prison is suitable buildings to carry out the separate system as a preliminary to everything, and capable of being again resorted when required. Inspection and supervision are as faultless in this as they well can be in an Indian Jail where most of the lower subordinates are venal.

Para 5 of letter No. 11 1153

As previously mentioned, the Mark system for pay has been in existence in this Jail for some years, and has answered its purposes admirably, *i. e.*, as a stimulus to good conduct and industry at work and school, but it is, I think, to be regretted that it has never been permitted to qualify for remission of portion of sentence. The remission need not necessarily be absolute or unconditional; remission on license subject to police surveillance and revocation on sufficient grounds would perhaps be the better of the two in the majority of cases, as, most probably, according to Mr. Recorder Hill, imperfectly reformed convicts are frequently deterred from the commission of crime by this power of revocation.

Copy of rules attached thereto.

Well selected and trained officers are indispensable to the proper working of a prison in all its aspects, *viz.*, punishment, reformation, discipline and general economy, and a combination of qualities which it is given to but few to possess is demanded, but which nevertheless judging from circumstances, are supposed to be existent in the many.

As regards Employment, I would apprehend no difficulty on that score in this Jail if sufficient cell accommodation were provided to permit every long term prisoner undergoing 8 months separation at least to begin with; then, if well conducted, transferring him to industrial work or trades, in association, where plenty of hard and at the same time remunerative labour would be available; and finally if found deserving, adopting some measures similar to the 3rd stage of the Irish system, such as work in the garden or in the public parks &c. If the cost of maintenance can even be repaid in this country (which one may doubt), it may be when *labour sentences* are substituted for *time sentences*, and when the separate system is so largely adopted that all short term prisoners, whose services are, as a rule, but of little value, can be kept apart and punished so effectively that they will not readily return. And any system of Jail discipline which will effect this, no matter how costly the buildings may be in the first instance necessary to carry it out, will be real economy in the end. This will be very evident by a glance at the number of convicts undergoing sentence in the Irish prisons in 1875, as compared with 1853 when Captain Crofton's system was first introduced.

I have spoken previously of the treatment which reconvicted and habitual criminals are subjected to in this Jail, and I have also just mentioned what I should recommend for them in future; you are already in possession of my views regarding the treatment of Juvenile prisoners, vide my letter No. 479 dated 15th May, 1876

An eminent authority says that although it may not be more difficult to reform Juvenile than adult prisoners, yet, that when changed, the reformation is more likely to be permanent in the latter.

There are no very good means available in this Jail for the proper confinement and punishment (that is suitable labour) of European prisoners, and, as the number is never likely to be large under the circumstances of the Province, it will perhaps be always better to transfer any such to one of the large Jails of the Madras Presidency specially fitted for their reception.

Para 6 of letter No. 1153.

The health of the inmates of this Jail has not as a rule been very satisfactory, vide accompanying tables of sickness and mortality for the past five years. Those employed extramurally have been more healthy than those inside. The following is an extract from Dy. Surgeon General Dr. George Smith's remarks on the occasion of his visit of inspection to the Jail in March last: "As a whole the prisoners looked clean, well fed, well cared for, and free from cutaneous diseases. The majority appeared to be in good health, but a not inconsiderable minority gave evidence of impaired health from malarial action. This was shown by the presence of an anæmic state of the skin and mucous membranes of the eye and mouth, by a tendency to congestion of the gums, and in some cases, by a more or less distinct swelling of the feet. Some of these prisoners on admission had Malarial cachexia well marked, and have benefited by residence in jail, a fact not contradictory of that other fact that prisoners admitted to jail in good health sometimes develope malarial cachexia by long residence in it. The Jail has not escaped the general Endemic Fever influence of the Mysore plateau." It appeared to me, however, that there was more than mere malarial influence in operation, and, on examining the condition of the prisoners, and looking into the diet scales in use, that there was some dificiency in the nitrogenous elements of the latter, and I accordingly made a representation on the subject to the Judicial Commissioner. The meat allowance includes bone, which latter I recommended should be omitted in the calculation in future, while the vegetables were capable of some reduction. A copy of the diet scales is herewith forwarded, as are also statistics of the Jail expenditure for the past five years.

I have the honor to be
Sir,
Your Most Obedient Servant,

T. J. McGann,
Offg. Superintendent,
Central Jail.

Cost for diet per prisoner	for	1871	26	14	7
do. do.	for	1872	27	13	0
do. do.	for	1873	30	8	9
do. do.	for	1874	31	4	10
do. do.	for	1875	30	12	3

Table of sickness and mortality for 5 years from 1871 *to* 1875.

	1871	1872	1873	1874	1875	
Total Prison Population ...	1566	1561	1419	1399	1250	
Average strength of Prisoners ...	727	734	741	735	690	
Sick for the period ...	20	21½	20	23	15	
Ratio of percentage of average sick to average strength ...	2·751	2·929	2·699	3·129	2·173	
Total number of deaths ...	10	16	8	16	7+1=8*	* Out of Hospital by accidental drowning.
Percentage of deaths to T. P. P. ...	·638	1·024	·563	1·143	·56	
Do. Do. on daily average strength	1·375	2·179	1·079	2·175	1·014	
Do. Do. to total treated ...	1·919	2·069	1·956	2·758	1·470	

(A true extract.)

T. J. McGann,
Offg. Superintendent,
Central Jail.

55

CENTRAL JAIL,
SUPERINTENDENT'S OFFICE,
Bangalore, 22nd August 1876.

From

SURGEON T. J. MCGANN,

Offg: Superintendent, Central Jail.

To

J. D. GORDON, ESQ., C. S. I.,

Judicial Commissioner of Mysore.

SIR,

In acknowledging the receipt of your letter No. $\frac{88}{96}$ dated the 1st August 1876 forwarding for report a copy of a letter from the Government of India I have the honor to state that the system carried out in this Jail is briefly as follows :—

Convicts sentenced to 2 years and over are designated long term prisoners; those sentenced to under two years are called short term prisoners.

The meaning of the words Recommittals, Under trial, Committed to Session, Simple and Civil, as applied to the inmates of a Jail are obvious.

All convicted prisoners on arrival undergo the conditions laid down in paras 2, 3, and 4 of the Jail rules.

To render what I am about to say the more intelligible I shall quote from Dr. Henderson's annual report for 1871.

"The latest developement of convict management includes three periods, in each of which, there is a special purpose arrived at or to be attained, and which needs to be attended to alone.

These periods are, one of Punishment, one of compulsory Industry, and one in which some play is given to the will and impulses of the individual, in view of strengthening these or making them ready for use on his release.

Here we begin with as it were, and have means for attending to the second period only. The other two which are equally necessary are scarcely recognized objectively.

It is here endeavoured to keep them in mind, and to treat the man as though he were undergoing a certain time in each; subjecting him to a short period of privation to begin with, and again at such times as may be required; then constraining him as it were to habits of industry and regular conduct; and in the end before release, encouraging him to adopt the obligations and allowing him some of the privileges of a free man." The Irish system, that of Sir Walter Crofton, is evidently alluded to here.

New admissions, long term, are placed, the first week in cells, on non-labour-

ing diet, cleaning fetters, picking coir or other light but uninteresting work; the second week, they are placed in separation in No. 2 Shed, with 16 seers of raggi to grind daily and on short term diet; the third week, they work in the garden, and the fourth week they go to raggi grinding (25 seers each) in association, still on short term diet.

After this preliminary stage of punition and privation, if their conduct has been good, they are placed on B class diet for the five subsequent months, but are now considered eligible (necessarily so for want of means to continue them in separation) for transfer to the associate prison, to work at one of the industrial occupations or trades going on there, or to earth work in the garden according as the requirements of the prison demand, or their personal aptitude or physical conditions indicate.

Good conduct list.

Prisoners who have conducted themselves in an exemplary manner and have worked well are, as a rule, placed on the 2nd class good conduct list, with removal of one leg ring, on expiration of half their sentences; and if still deserving of further promotion are removed from the 2nd, one year afterwards, to the 1st Class list, and the second ring is taken off. These classes are exempted from certain meanial and fatigue duties, and the distinction is eagerly sought for, and are undoubtedly incentives to good behaviour and industry.

Promotion to Warders and head Warders is made from those on the good conduct list. The head warders, if found active, intelligent and capable of keeping their accounts properly, are permitted as a further privilege to wear a small turban instead of the ordinary prison cap and besides possess a special badge.

Marks for Pay.

Marks for pay are granted to long term prisoners according to the following scale:—

4 years and upwards when within 2 years of release.
3 and under 4 years when half the sentence is completed.
2 and „ 3 „ when within 6 months of release.

Their behaviour both as regards discipline and industry must have been good for 6 months previously, and they must be able to read in the 3rd class at school, if not the latter, their admission to the mark list is postponed 1 year, 6 months, and 3 months respectively.

The mark system has been in operation in this Jail for some years; Dr. Henderson thinks (and so do I) that it has been of great service and benefit. In his Annual report for 1871 Dr. Henderson remarks regarding it as follows:—

"The benefits from it under my own eye are very great, greater diligence, greater attention, better work, and more returns; and remotely, one may assume some good and grateful influence upon the man for his future life, as well as the actual supply to him of his immediate wants on his release by the money he is permitted to earn."

"These little Earnings must give to the man a feeling of, and some actual independence in his renewed start in life, and supply him with the necessities of

57

living, and as well, it is to be hoped, with some self respect, the want of which cannot but be often felt by men emerging from Prison, and is such an impediment to future well doing and so likely to cause relapse into crime. Many have made extra exertions at their work and thereby earned extra marks: "No Man has returned to Jail as yet to whom earnings have been given, but no doubt this may sometime occur." This has occurred since the above report was written.

It is to be remarked, however, and I think with regret, that no amount of good conduct or any number of marks whatsoever, leads as a rule to remission, unconditional or conditional, of a portion of the convicts sentence.

Short term Prisoners.

Short term prisoners, not being recommittals, undergo a penal stage, but they never advance beyond B class diet unless for special reasons, nor are they put to trades in the Jail.

Recommittals.

The number of recommittals remaining at the end of last year was 146, some were received from other Jails but the majority is properly debitable to the Cantonment and Pettah of Bangalore. After speaking of the specially punitive and severe measures adopted in regard to this class of criminals, and the ignominious and disagreeable duties they are set to, and the apparent impossibility of reforming them, Dr. Henderson remarks in his last annual report: "No treatment will avail which does not include separation as its main feature," and in this I quite agree.

Recommittals as a class are not permitted to be engaged in any of the industrial occupations in the Jail. On 2nd admission they have wrist and ankle rings and fetters placed on them, and commence with one month in separation, grinding 25 seers of raggi per day. On 3rd admission, they wear the Penal dress, *viz.*, black and yellow cap, rings on the wrist and ankles, and fetters, and 2 months in separation, with 25 seers of raggi; on 4th admission penal dress, separation with full amount of work for a longer period than the last if accomodation permit.

They are kept on short term diet throughout unless for special reasons. They are put to the most disagreeable and laborious duties *viz.*, scavenging; and raggi grinding, changing from one to the other week about. Any not capable of being employed on these are sent to the hardest work procurable elsewhere.

They certainly have a hard time of it in the Jail, yet I fear it cannot be said that reformation is effected in many, if any, of them. To the question, why, many solutions might be attempted; some are innately vicious and depraved, some are rendered so by early training and precept, but exclusive of these, I think the graduated system of punishment hitherto in vogue has had much to say to fostering if not creating a special criminal class, in as much as the very short sentences at first, gradually lengthened afterwards, innure them to prison life which after a time ceases to be terrible to them. The more especially when, as in most Indian prisons, proper means for carrying out deterrent as well as reformatory principles are absent, a matter to which I shall again allude further on. Throughout their periods of sentence reconvicted prisoners are kept in separation as much as an associate prison will admit of.

Prisoners whose sentences are of short duration are confined as much as pos-

Classification?

sible to two out of the six barracks. Men under sentence of transportation, and others of the longest sentences and in for the most heinous offences, are kept as much as practicable in the wards next the central or watch tower.

This is as much as can be attempted in a prison built on the associate plan such as this is, and where accomodation is limited.

The Simple and Infirm occupy a separate portion of the Jail enclosure, and in this also are located the old thugs who are in more for simple detention than actual punishment.

The Civil prisoners or debtors occupy a building situated in the same enclosure as the cells or wards for Europeans. Prisoners committed to Sessions are also confined in this portion of the Jail. These latter arrangements are of course objectionable if they could be avoided.

The women occupy another angle of the Jail enclosure but because of the plan of the premises in which they are located segregation is impracticable.

The Juvenile prison, situated just outside the main wall, is designed for associate purposes and segregation cannot be carried out.

This brief and necessarily imperfect sketch of the outline of prison management I consider it necessary to give, before adverting to the letter of the Government of India, under reply.

With reference to para 4 of the letter, the best system of prison management, as regards the punishment and reformation of criminals, of which I have any knowledge is that pursued in Ireland, and known as Sir Walter Crofton's, with the principles of which most Jail Officers are conversant. It is divided into three steps, 1st penal, 2nd compulsory industry, and 3rd special training to fit the man for release.

The 1st is carried out in separation in the cellular prison at Mount-joy under very penal conditions, the minimum term being 8 months; that is, if the convicts conduct is quite unexceptionable, he would be entitled to removal to an associated prison in that time, otherwise his detention would be further prolonged

The second stage is carried out in Smithfield or Spike Island; in the former, if the prisoner is a handicraftsman or too weak for hard labour, in the latter if an able bodied man of no trade. Here the prisoner begins at the lowest rung of the ladder, so to speak, and works his way upwards. A minimum length of detention is exacted here, as in the 1st stage, but exclusive of that the man's progress depends on himself and acts as a wholesome stimulus to good behaviour and industry at labour and school. A certain class and number of marks must be attained by each convict before he can be removed to the 3rd, or Intermediate stage. "In this third stage there are no marks. The result of the self discipline effected in their attainment is here to be tested before the liberation of the convict. *Individualization* is the ruling principle in all stages. In the Intermediate prison at Lusk, the training is special, and the man's position is made as natural as possible, no more restraint is exercised over him than would be necessary to maintain order in

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any well regulated establishment." This last may sound odd to many but there is the fact. After a stipulated period in the 3rd stage, if still of unexceptionable conduct, he is eligible to a remission of a certain portion of his sentence on License; if not he will be returned to Spike Island or Mountjoy, as the case may be. The leading principle of this system is, subduing the refractory, punishing him for what he has done, and deterring him and others from the commission of crime in future; secondly, to amend him by teaching him habits of industry and self reliance; and, thirdly, to train him naturally before release, and this the 3rd stage does by softening the transition from perfect restraint to perfect freedom. In all a mark system for conduct, industry, &c., prevails, but in the second, they are permitted to earn a certain sum weekly in addition.

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Assuming the statement, that 'one day of separate confinement is equal to three days associated imprisonment' to be practically correct, the adoption of the separate system would cause the reduction of two-thirds in the present periods of imprisonment. In this way the pressure in Jails would be relieved, crime punished, and economy effected.

The distinction of prisoners into classes, adverted to in clauses *a*, *b*, and *c*, of para 4, is carried out here as well as the plan of the Jail and available space admit of it; but, beyond certain limits, "the advantages of arbitrary classification of prisoners according to length of sentences &c., are generally over estimated."

Dr. Heard in his report on the Central Jail for 1868, remarks, that 'even though it would be well to shut up all the petty thieves and cheats together, he does not think it would be well to confine dacoits or homicides together, the present plan of mixing them with other (long term) prisoners is more likely to defeat any effort at combination, and, though they are doubtless the most enterprising

and energetic of the criminal classes; they, as far his experience went, were by no means the most vicious; indeed the highwayman or homicide is more likely to be contaminated by association with the short term thief than the latter by association with him;' with these observations in the main I agree.

Para 5 of letter No. 11 / 1153.

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Copy of rules attached hereto.

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As regards Employment, I would apprehend no difficulty on that score in this Jail if sufficient cell accommodation were provided to permit every long term prisoner undergoing 8 months separation at least to begin with; then if well conducted, transferring him to industrial work or trades, in association, where plenty of hard and at the same time remunerative labour would be available; and finally if found deserving, adopting some measures similar to the 3rd stage of the Irish system, such as work in the garden or in the public parks &c. If the cost of maintenance can even be repaid in this country (which one may doubt), it may be when *labour sentences* are substituted for *time sentences*, and when the separate system is so largely adopted that all short term prisoners, whose services are, as a rule, but of little value, can be kept apart and punished so effectively that they will not readily return. And any system of Jail discipline which will effect this, no matter how costly the buildings may be in the first instance necessary to carry it out, will be real economy in the end. This will be very evident by a glance at the number of convicts undergoing sentence in the Irish prisons in 1875, as compared with 1853 when Captain Crofton's system was first introduced.

I have spoken previously of the treatment which reconvicted and habitual criminals are subjected to in this Jail, and I have also just mentioned what I should recommend for them in future; you are already in possession of my views regarding the treatment of Juvenile prisoners, vide my letter No. 479 dated 15th May 1876.

An eminent authority says that although it may not be more difficult to reform Juvenile than adult prisoners, yet, that when changed, the reformation is more likely to be permanent in the latter.

There are no very good means available in this Jail for the proper confinement and punishment (that is suitable labour) of European prisoners, and, as the number is never likely to be large under the circumstances of the Province, it will perhaps be always better to transfer any such to one of the large Jails of the Madras Presidency specially fitted for their reception.

The health of the inmates of this Jail has not as a rule been very satisfactory, vide accompanying tables of sickness and mortality for the past five years. Those employed extramurally have been more healthy than those inside. The following is an extract from Dy. Surgeon General Dr. George Smith's remarks on the occasion of his visit of inspection to the Jail in March last: "As a whole the prisoners looked clean, well fed, well cared for, and free from cutaneous diseases. The majority appeared to be in good health, but a not inconsiderable minority gave evidence of impaired health from malarial action. This was shown by the presence of an anæmic state of the skin and mucous membranes of the eye and mouth, by a tendency to congestion of the gums, and in some cases, by a more or less distinct swelling of the feet. Some of these prisoners on admission had Malarial cachexia well marked, and have benefited by residence in jail, a fact not contradictory of that other fact that prisoners admitted to jail in good health sometimes develope malarial cachexia by long residence in it. The Jail has not escaped the general Endemic Fever influence of the Mysore plateau." It appeared to me, however, that there was more than mere malarial influence in operation, and, on examining the condition of the prisoners, and looking into the diet scales in use, that there was some dificiency in the nitrogenous elements of the latter, and I accordingly made a representation on the subject to the Judicial Commissioner. The meat allowance includes bone, which latter I recommended should be omitted in the calculation in future, while the vegetables were capable of some reduction. A copy of the diet scales is herewith forwarded, as are also statistics of the Jail expenditure for the past five years.

Para 6 of letter No. $\frac{11}{1153}$.

I have the honor to be
Sir,
Your Most Obedient Servant,

T. J. McGANN,
Offg. Superintendent,
Central Jail.

Cost for diet per prisoner for	1871	26	14	7
do. do. for	1872	27	13	0
do. do. for	1873	30	8	9
do. do. for	1874	31	4	10
do. do. for	1875	30	12	3

Table of sickness and mortality for 5 years from 1871 *to* 1875.

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Total number of deaths ...	10	16	8	16	7+1*=8	* Out of Hospital by accidental drowning.
Percentage of deaths to T. P. P. ...	·638	1·024	·563	1·143	·56	
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Do. Do. to total treated ...	1·919	2·069	1·956	2·758	1·470	

(A true extract.)

T. J. McGann,
Offg. Superintendent,
Central Jail.

67

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From Offg. Secy. to Govt. of India
Home Deptt.

To

Dated 22d September
Despatched
Received 28th Sept. 1876.

ENCLOSURES NO. 4 cp. cop.

General No. 16
No. 1565

Intimates the 18th January 1877 has been fixed as the date of assembling the proposed Prison Commission at Calcutta.

Rec'd by Post Office 23rd Sept. 1876

Read by Secretary to Govt. of India 26th Sept. 1876

64

No. 16. / 1565

FROM

ARTHUR HOWELL, ESQ.,
Offg. Secretary to the Govt. of India,

To The Chief Commissioner of Mysore and Coorg.

Home Dept.
Judicial.

SIMLA, the 22 September 1876.

SIR,

IN continuation of my letter dated the 13th July last, No. 11 / 1153, I am directed to say that His Excellency the Governor General in Council has been pleased to fix the 10th January 1877 as the date of assembling of the proposed Prison Committee at Calcutta.

I have the honour to be,

SIR,

Your most obedient Servant,

Arthur Howell

Offg. Secretary to the Govt. of India.

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MYSORE CHIEF COMMISSIONER'S OFFICE,

Bangalore, 4th October 1876.

No. 6562
J 81

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To

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The Jud. Commr

SIR,

*Subject.

Prison discipline

I am directed to invite attention to the communication *marginally noted, and to request an early reply thereto.

No. 4397 J 46 dated 28 July 76.

~~Subsequent reminder No. dated~~

I have the honor to be

Sir,

Your most obedient Servant,

Secretary.

9-76

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66

Proceedings of the C. C. of Mysore.

(Letter No. 1718 / 183. dated 2nd November 1876, and its 3 enclosures from the Judicial Commr.)

Section P. J.
File No. 1876
6

No. 8534 / 103 dy. 21.11.76

Order.

1. The Govt of India in the Home Dept, in their letter No. 16 / 1565 dated 22nd Sept. last having fixed the 10th January/77 as the date for the assembly of the Prison Committee proposed to be convened at Calcutta, the Chief Commr deputes Surgeon Major J. Henderson M.D. Supt of the Central Jail at Bangalore, to attend the Committee in question on the part of this Administration and the Judicial Commr will be good enough to arrange accordingly.

To- Judicial Commr for communication to Dr. Henderson

20.11.76 18.11.76

Offg Secretary.

Ordered that the following letter be addressed to the Govt of India Home Department

V

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Jud

To the Jud Commr
in Mysore

72 Vol Nov 1876

No 8534/103

11 Papers

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Rec 11-76

Prison Committee
at Calcutta - de-
= puting Lt Henderson
to attend on behalf
of this Administration

68

Proceedings of the Chief Commissioner of Mysore, Judicial Department,
21st November 1876.

From the Judicial Commissioner in Mysore, To the Offg. Secretary to the Chief Commissioner of Mysore, General Department, No. 1718—Judl. 183, dated Bangalore, 2nd November 1876.

In reply to your letter No. 4397—46, dated 28th July 1876, forwarding for report copy of letter No. 11—1153 of 13th July, from the Government of India, I have the honor to submit for the information of the Chief Commissioner, the reports, in original, of the Superintendents, Central Jail, and of the Mysore and Shimoga Jails, and to observe that these reports give a fairly correct description of the system of discipline followed in our jails.

2. Since the receipt of Dr. McGann's report, Dr. Henderson has resumed charge as Superintendent of the Central Jail at Bangalore. As I conclude that this Officer will be deputed to represent this Administration in the Prison Committee to be convened at Calcutta, I have not thought it necessary to call upon him for an expression of his views.

3. The first requisite for a proper system of jail discipline is, in my opinion, suitable buildings.

4. Classification of prisoners is observed, to some extent, in the Central Jail at Bangalore, where alone there is a well-constructed Jail. In the Jails at Mysore and Shimoga, which are in construction defective, it is not possible to secure equal results, but, owing to want of proper buildings, complete and systematic classification and separation of prisoners are impossible.

5. Segregation at night, according to the English system, could be secured only at so great expense as to make it practically impossible, while it may be doubted whether with regard to climate and other considerations in India, such a system would be an unmixed good. In regard to penal discipline I am and have been strongly of opinion that our system is on this point very defective. In June 1875, a proposal was forwarded by this Office, at the instance of Dr. Henderson, for the erection of a house of correction in the Central Jail, for the more effective enforcement of penal discipline, but the project was not sanctioned owing to want of funds.

6. I would strongly advocate the carrying out of this proposal, and, if funds admit, I would adopt some similar course with regard to the Jails at Mysore and Shimoga. But even if the experiment be restricted to the Central Jail, it will have an excellent effect on the majority of long-term convicts in the Province.

7. The system of diet and the sanitary statistics are contained in the reports herewith forwarded.

8. The health of the prisoners is fairly good, and decidedly better than in the past at Bangalore and Shimoga. The Jail at Mysore appears to be unhealthy, and bearing in mind the destined future of this Province, it may be a question for consideration, if the Government is prepared to lay out a large sum on jail improvement here, whether it would not be advisable to construct a suitable new jail at Mysore, or in some more healthy and central position in the Province.

From the Offg. Superintendent, Central Jail, To the Judicial Commissioner of Mysore, dated Bangalore, 22nd August 1876.

In acknowledging the receipt of your letter No. 898—26, dated the 1st August 1876, forwarding for report a copy of a letter from the Government of India, I have the honor to state that the system carried out in this jail is briefly as follows :—

Convicts sentenced to two years and over are designated long-term prisoners ; those sentenced to under two years are called short-term prisoners.

The meaning of the words recommittals, under-trial, committed to session, simple and civil, as applied to the inmates of a jail, are obvious.

All convicted prisoners on arrival undergo the conditions laid down in paras 2, 3, and 4 of the jail rules.

To render what I am about to say the more intelligible I shall quote from Dr. Henderson's annual report for 1871.

"The latest development of convict management includes three periods, in each of which there is a special purpose arrived at or to be attained, and which needs to be attended to alone.

These periods are, one of punishment, one of compulsory industry, and one in which some play

is given to the will and impulses of the individual, in view of strengthening these or making them ready for use on his release.

Here we begin with as it were, and have means for attending to the second period only. The other two which are equally necessary are scarcely recognized objectively.

It is here endeavoured to keep them in mind, and to treat the man as though he were undergoing a certain time in each; subjecting him to a short period of privation to begin with, and again at such times as may be required; then constraining him as it were to habits of industry and regular conduct; and in the end before release, encouraging him to adopt the obligations and allowing him some of the privileges of a free man." The Irish system, that of Sir Walter Crofton, is evidently alluded to here.

New admissions, long-term, are placed, the first week in cells, on non-laboring diet, cleaning fetters, picking coir or other light but uninteresting work; the second week, they are placed in separation in No. 2 Shed, with 16 seers of ragi to grind daily and on short-term diet; the third week, they work in the garden, and the fourth week they go to ragi grinding (25 seers each) in association, still on short-term diet.

After this preliminary stage of punition and privation, if their conduct has been good, they are placed on B class diet for the five subsequent months, but are now considered eligible (necessarily so for want of means to continue them in separation) for transfer to the associate prison, to work at one of the industrial occupations or trades going on there, or to earth work in the garden, according as the requirements of the prison demand, or their personal aptitude or physical conditions indicate.

Good conduct list.

Prisoners who have conducted themselves in an exemplary manner and have worked well are, as a rule, placed on the 2nd class good conduct list, with removal of one leg ring, on expiration of half their sentences; and if still deserving of further promotion are removed from the 2nd, one year afterwards, to the 1st class list, and the second ring is taken off. These classes are exempted from certain menial and fatigue duties, and the distinction is eagerly sought for, and are undoubtedly incentives to good behaviour and industry.

Promotion to Warders and Head Warders is made from those on the good conduct list. The Head Warders, if found active, intelligent and capable of keeping their accounts properly, are permitted as a further privilege to wear a small turban instead of the ordinary prison cap and besides possess a special badge.

Marks for pay are granted to long-term prisoners according to the following scale :—

Marks for pay.

4 years and upwards when within 2 years of release.
3 and under 4 years when half the sentence is completed.
2 and „ 3 „ when within 6 months of release.

Their behaviour both as regards discipline and industry must have been good for 6 months previously, and they must be able to read in the 3rd class at school; if not the latter, their admission to the mark list is postponed 1 year, 6 months, and 3 months respectively.

The mark system has been in operation in this jail for some years; Dr. Henderson thinks (and so do I) that it has been of great service and benefit. In his annual report for 1871 Dr. Henderson remarks regarding it as follows :—

"The benefits from it under my own eye are very great, greater diligence, greater attention, better work, and more returns; and remotely, one may assume some good and grateful influence upon the man for his future life, as well as the actual supply to him of his immediate wants on his release by the money he is permitted to earn."

"These little earnings must give to the man a feeling of, and some actual independence in his renewed start in life, and supply him with the necessities of living, and as well, it is to be hoped, with some self respect, the want of which cannot but be often felt by men emerging from prison, and is such an impediment to future well doing and so likely to cause relapse into crime. Many have made extra exertions at their work and thereby earned extra marks. No man has returned to jail as yet to whom earnings have been given, but no doubt this may sometime occur." This has occurred since the above report was written.

It is to be remarked, however, and I think with regret, that no amount of good conduct or any number of marks whatsoever, leads as a rule to remission, unconditional or conditional, of a portion of the convict's sentence.

Short-term Prisoners.

Short-term prisoners, not being recommittals, undergo a penal stage, but they never advance beyond B class diet unless for special reasons, nor are they put to trades in the jail.

Recommittals.

The number of recommittals remaining at the end of last year was 146; some were received from other jails, but the majority is properly debitable to the Cantonment and Pete of Bangalore. After speaking of the specially punitive and severe measures adopted in regard to this class of criminals, and the ignominious and disagreeable duties they are set to, and the apparent impossibility of reforming them, Dr. Henderson remarks in his last annual report: "No treatment will avail which does not include separation as its main feature," and in this I quite agree.

Recommittals as a class are not permitted to be engaged in any of the industrial occupations in the jail. On 2nd admission they have wrist and ankle rings and fetters placed on them, and commence with one month in separation, grinding 25 seers of ragi per day. On 3rd admission, they wear the penal dress, *viz.*, black and yellow cap, rings on the wrist and ankles, and fetters, and 2 months in separation, with 25 seers of ragi. On 4th admission penal dress, separation with full amount of work for a longer period than the last if accommodation permit.

They are kept on short-term diet throughout unless for special reasons. They are put to the most disagreeable and laborious duties, *viz.*, scavenging, and ragi grinding, changing from one to the other week about. Any not capable of being employed on these are sent to the hardest work procurable elsewhere.

They certainly have a hard time of it in the jail, yet I fear it cannot be said that reformation is effected in many, if any, of them. To the question, why, many solutions might be attempted; some are innately vicious and depraved, some are rendered so by early training and precept, but exclusive of these, I think the graduated system of punishment hitherto in vogue has had much to say to fostering if not creating a special criminal class, inasmuch as the very short sentences at first, gradually lengthened afterwards, innure them to prison life which after a time ceases to be terrible to them. The more especially when, as in most Indian prisons, proper means for carrying out deterrent as well as reformatory principles are absent, a matter to which I shall again allude further on. Throughout their periods of sentence reconvicted prisoners are kept in separation as much as an associate prison will admit of.

Classification.

Prisoners whose sentences are of short duration are confined as much as possible to two out of the six barracks. Men under sentence of transportation, and others of the longest sentences and in for the most heinous offences, are kept as much as practicable in the wards next the central or watch tower.

This is as much as can be attempted in a prison built on the associate plan such as this is, and where accommodation is limited.

The simple and infirm occupy a separate portion of the jail enclosure, and in this also are located the old thugs who are in more for simple detention than actual punishment.

The civil prisoners or debtors occupy a building situated in the same enclosure as the cells or wards for Europeans. Prisoners committed to sessions are also confined in this portion of the jail. These latter arrangements are of course objectionable if they could be avoided.

The women occupy another angle of the jail enclosure, but because of the plan of the premises in which they are located segregation is impracticable.

The juvenile prison, situated just outside the main wall, is designed for associate purposes and segregation cannot be carrred out.

This brief and necessarily imperfect sketch of the outline of prison management I consider it necessary to give, before adverting to the letter of the Government of India under reply.

With reference to para 4 of the letter, the best system of prison management, as regards the punishment and reformation of criminals, of which I have any knowledge, is that pursued in Ireland and known as Sir Walter Crofton's, with the principles of which most Jail Officers are conversant. It is divided into three steps, 1st—penal, 2nd—compulsory industry, and 3rd—special training to fit the man for release.

The 1st is carried out in separation in the cellular prison at Mount-joy under very penal conditions,

the minimum term being 8 months; that is, if the convict's conduct is quite unexceptionable, he would be entitled to removal to an associated prison in that time, otherwise his detention would be further prolonged.

The second stage is carried out in Smithfield or Spike Island; in the former, if the prisoner is a handicraftsman or too weak for hard labor, in the latter if an able bodied man of no trade. Here the prisoner begins at the lowest rung of the ladder, so to speak, and works his way upwards. A minimum length of detention is exacted here, as in the 1st stage, but exclusive of that the man's progress depends on himself and acts as a wholesome stimulus to good behaviour and industry at labor and school. A certain class and number of marks must be attained by each convict before he can the removed to the 3rd or intermediate stage. "In this third stage there are no marks. The result of the self discipline effected in their attainment is here to be tested before the liberation of the convict. *Individualization* is the ruling principle in all stages. In the intermediate prison at Lusk, the training is special, and the man's position is made as natural as possible, no more restraint is exercised over him than would be necessary to maintain order in any well regulated establishment." This last may sound odd to many, but there is the fact. After a stipulated period in the 3rd stage, if still of unexceptionable conduct, he is eligible to a remission of a certain portion of his sentence on license, if not he will be returned to Spike Island or Mount-joy, as the case may be. The leading principle of this system is, subduing the refractory, punishing him for what he has done, and deterring him and others from the commission of crime in future; secondly, to amend him by teaching him habits of industry and self reliance; and thirdly, to train him naturally before release, and this the 3rd stage does by softening the transition from perfect restraint to perfect freedom. In all a mark system for conduct, industry, &c., prevails, but in the second, they are permitted to earn a certain sum weekly in addition.

A noticeable feature, and also one in which it contrasts strongly with the Indian system, is that *labor sentences* may be said to be practicably substituted for *time* sentences. The latter robs a man of responsibility and his only object is to kill time and do as little as is compatible with keeping out of trouble.

Now, I see no reason, even though penal legislation in England and India may differ, or even though the character of the criminal classes in the two countries may be also different, why a system of jail discipline similar to that adverted to above should be inapplicable to this country. There are no local or physical causes to preclude its adoption, so far I know. That there are not is proved by the experience of the Bangalore Jail, where Dr. Henderson has pursued for some years past a plan based in the main on the Irish system as far as circumstances, *i. e.*, suitable buildings, admit of it, and it is not improbable that he had the more thorough introduction of the system in view when he addressed to you his letter No. 503 of the 10th of June 1875, advocating the construction of a "House of correction" for more purely punitive purposes. Possibly, as stated in para 4 of letter 11—1153, reformatory discipline may be less applicable in India than in England, but to be certain that such is the case, it should be attempted under more favorable auspices than it has been hitherto. Short sentences are not reformatory, but they can be made really deterrent if the separate or celiular system of jail discipline were more largely adopted.

Assuming the statement that 'one day of separate confinement is equal to three days' associated imprisonment' to be practically correct, the adoption of the separate system would cause the reduction of two-thirds in the present periods of imprisonment. In this way the pressure in jails would be relieved, crime punished, and economy effected.

The distinction of prisoners into classes, adverted to in clauses *a*, *b*, and *c* of para 4, is carried out here as well as the plan of the jail and available space admit of it; but beyond certain limits, the advantages of arbitrary classification of prisoners according to length of sentences, &c., are generally over estimated.

Dr. Heard in his report on the Central Jail for 1868 remarks, that 'even though it would be well to shut up all the petty thieves and cheats together, he does not think it would be well to confine dacoits or homicides together; the present plan of mixing them with other (long term) prisoners is more likely to defeat any effort at combination, and though they are doubtless the most enterprizing and energetic of the criminal classes, they, as far his experience went, were by no means the most vicious; indeed the highwayman or homicide is more likely to be contaminated by association with the short term thief than the latter by association with him;' with these observations in the main I agree.

The great want in this prison is suitable buildings to carry out the separate system as a preliminary to everything, and capable of being again resorted when required. Inspection and supervision are as faultless in this as they well can be in an Indian Jail where most of the lower subordinates are venal.

Para 5 of letter No. 11—1153.

As previously mentioned, the mark system for pay has been in existence in this jail for some years, and has answered its purposes admirably, *i. e.*, as a stimulus to good conduct and industry at work and school; but it is, I think, to be regretted that

Copy of rules attached hereto.

it has never been permitted to qualify for remission of portion of sentence. The remission need not necessarily be absolute or unconditional; remission on license subject to police surveillance and revocation on sufficient grounds would perhaps be the better of the two in the majority of cases, as, most probably, according to Mr. Recorder Hill, imperfectly reformed convicts are frequently deterred from the commission of crime by this power of revocation.

Well selected and trained officers are indispensable to the proper working of a prison in all its aspects, *viz.*, punishment, reformation, discipline and general economy, and a combination of qualities which it is given to but few to possess is demanded, but which nevertheless judging from circumstances are supposed to be existent in the many.

As regards employment, I would apprehend no difficulty on that score in this jail if sufficient cell accommodation were provided to permit every long-term prisoner undergoing 8 months' separation at least to begin with; then if well conducted, transferring him to industrial work or trades, in association, where plenty of hard and at the same time remunerative labor would be available; and finally if found deserving, adopting some measures similar to the 3rd stage of the Irish system, such as work in the garden or in the public parks, &c. If the cost of maintenance can even be repaid in this country (which one may doubt), it may be when *labor sentences* are substituted for *time sentences*, and when the separate system is so largely adopted that all short-term prisoners, whose services are as a rule but of little value, can be kept apart and punished so effectively that they will not readily return. And any system of jail discipline which will effect this, no matter how costly the buildings may be in the first instance necessary to carry it out, will be real economy in the end. This will be very evident by a glance at the number of convicts undergoing sentence in the Irish prisons in 1875, as compared with 1853 when Captain Crofton's system was first introduced.

I have spoken previously of the treatment which reconvicted and habitual criminals are subjected to in this jail, and I have also just mentioned what I should recommend for them in future; you are already in possession of my views regarding the treatment of juvenile prisoners, *vide* my letter No. 479, dated 15th May 1876.

An eminent authority says that although it may not be more difficult to reform juvenile than adult prisoners, yet, that when changed, the reformation is more likely to be permanent in the latter.

There are no very good means available in this jail for the proper confinement and punishment (that is suitable labor) of European prisoners, and, as the number is never likely to be large under the circumstances of the Province, it will perhaps be always better to transfer any such to one of the large Jails of the Madras Presidency specially fitted for their reception.

Para 6 of letter No. 11—1153.

The health of the inmates of this jail has not as a rule been very satisfactory, *vide* accompanying tables of sickness and mortality for the past five years. Those employed extramurally have been more healthy than those inside. The following is an extract from Deputy Surgeon General Dr. George Smith's remarks on the occasion of his visit of inspection to the Jail in March last: "As a whole the prisoners looked clean, well fed, well cared for, and free from cutaneous diseases. The majority appeared to be in good health, but a not inconsiderable minority gave evidence of impaired health from malarial action. This was shewn by the presence of an anæmic state of the skin and mucous membranes of the eye and mouth, by a tendency to congestion of the gums, and in some cases, by a more or less distinct swelling of the feet. Some of these prisoners on admission had malarial cachexia well marked, and have benefited by residence in jail, a fact not contradictory of that other fact that prisoners admitted to jail in good health sometimes develope malarial cachexia by long residence in it. The jail has not escaped the general endemic fever influence of the Mysore plateau." It appeared to me, however, that there was more than mere malarial influence in operation, and, on examining the condition of the prisoners, and looking into the diet scales in use, that there was some deficiency in the nitrogenous elements of the latter, and I accordingly made a representation on the subject to the Judicial Commissioner. The meat allowance includes bone, which latter I recommended should be omitted in the calculation in future, while the vegetables were capable of some reduction. A copy of the diet scales is herewith forwarded, as are also statistics of the jail expenditure for the past five years.

Cost for diet per prisoner		for	1871	26	14	7
Do	do	for	1872	27	13	0
Do	do	for	1873	30	8	9
Do	do	for	1874	31	4	10
Do	do	for	1875	30	12	3

Table of Sickness and Mortality for five years from 1871 *to* 1875.

	1871.	1872.	1873.	1874.	1875.	
Total prison population	1,566	1,561	1,419	1399	1,250	
Average strength of prisoners	727	734	741	735	690	
,, Sick for the period	20	21½	20	23	15	
Ratio of percentage of average sick to average strength	2·751	2·929	2·699	3·129	2·173	
Total number of deaths	10	16	8	16	7+*1=8	*Out of Hospital by accidental drowning.
Percentage of deaths to T. P. P. ...	·638	1·024	·563	1·143	·56	
Do on daily average strength ...	1·375	2·179	1·079	2·175	1·014	
Do to total treated	1·919	2·069	1·956	2·758	1·470	

From the Superintendent, Mysore Jail, To the Judicial Commissioner, Mysore, No. 136, dated Mysore, 22nd August 1876.

In compliance with your letter No. 4397—46, dated 28th July 1876, I have the honor to offer some remarks on the subject of prison discipline in so far as it affects the immates of the Mysore Jail, *vide* Government letter No. 11—1153, dated 13th July 1876.

As respects the segregation of different classes I have to state that, while it is systematically carried out at night, the circumstances of this jail do not admit of its being followed during the day, except in special instances.

During the night prisoners sentenced to three years' rigorous imprisonment and upwards are accommodated in the largest compartment (main jail), those from one inclusive to three years in a smaller compartment No. 2, those from three months inclusive to one year and those under three months in the compartments known respectively as under-trial and hospital, but not in the same wards as the under-trial or the sick. Simple prisoners have one or two wards to themselves in the (so called) hospital compartment.

The female compartment, though a part of the main jail, has a separate entrance. The numbers are very few, but the compartment is small having only two wards and a work shop. Distribution according to classes cannot be followed even at night, and there is the further inconvenience that one ward has occasionally to be abandoned to female debtors.

Male debtors are suitably accommodated in a building recently erected for them.

Segregation of classes during the day might to a certain extent be obtained by additions to the building, but the jail is old and defective in plan, and it therefore does not seem desirable to incur great expenditure in attempts at improvement.

If alterations or additions were actually carried out admitting of the distribution of the prisoners in cells or in compartments according to class, the provision of suitable employment would be found to offer no little difficulty. As regards articles manufactured at the jail, it has usually been found impossible to compete with the local market, and in the last year or two since the opening of a large workshop by the Palace authorities the demand for carpets, cloths, mats, &c. of prison-make has greatly diminished and a corresponding reduction of manufactory hands has therefore been necessitated.

All the ragi for jail use is ground in the punitive cells (8) by prisoners who have been classified agreeably to your circular No. 103 of 21st April 1875. Under the same rule gangs of prisoners are employed in conservancy operations and the in this jail arduous task of water carrying. The remainder are usually occupied in tilling the ground, carrying earth for the improvement of the garden and similar work, and while so employed it has not been found possible to maintain a distinction of classes.

If fitting labor and intelligent supervision could be readily provided on extramural works, no doubt a fair amount of work could daily be exacted from each prisoner and attempts at classification would be likely to succeed.

The permanent jail establishment consists of a Jailor, a Hospital Assistant, a Writer, a Jamadar, Blacksmith, 2 Daffedars, and 27 Peons. The higher officials are intelligent and well conducted, but much dependence cannot as a rule be placed in the class of peons. The pay (6 Rs.) is not sufficient to attract superior men and the responsible nature of the duty makes the post somewhat unpopular. Constant supervision is required to check carelessness or abuse of authority.

Of late years about an hour daily has been devoted to education. The instruction is elementary only, and the teachers usually Brahmans are selected from amongst the prisoners. Kanarese only is taught. Owing to the limited stay in jail of short-term prisoners they derive little benefit from education ; but there appears to be steady though slow progress in the case of those who are imprisoned for long periods. The average daily number attending school during the last five years is 205 out of a daily average of 259.

Referring to juvenile prisoners I have to state that they are rarely admitted into this jail, and therefore, as reported in my letter to the Commissioner No. 54, dated 31st May 1876, no experience has been acquired regarding them. A few, under terms of Judicial Commissioner's order No. 7 of 28th June 1871, were transferred to the reformatory school at Bangalore, but there are at present none in this jail.

As regards the treatment of reconvicted and of habitual offenders I beg to refer to my letter No. 291 of 18th December 1874, copy of which is attached.

With reference to the health of the prisoners I append a table of mortality for 11 years, *viz.*, from 1865 to 1875, both years inclusive.

The ratio of deaths is high, but the District is malarious, and a large number of prisoners enter jail in indifferent or in bad health.

The altered circumstances of jail life undoubtedly in some instances cause deterioration of health, but as a rule a healthy person does not degenerate physically during his term of confinement.

The ratio of deaths is highest in the year 1868, in explanation of which it may be stated that in that and especially in the preceding year there was a scarcity of food grains and therefore, as remarked by the Medical Officer, many on entering jail appeared as if half starved. The diet scale up to about the close of 1868 was not sufficiently varied or nutritious, and there is no doubt that improvement in the diet was succeeded by improvement in the general health.

The year 1875 shews the next highest ratio of mortality, but in that year cholera was very prevalent in the District, and a sharp outbreak occurred in the jail to which 15 prisoners succumbed.

The diet scale underwent much improvement in the year 1868 ; but it appears desirable to make further alterations both as regards nutrition and variety. The subject is being investigated by the Deputy Surgeon General and it is therefore unnecessary to make any suggestions here.

Adverting to para 7 of the Government letter I submit a statement of the net average cost of a prisoner for each year beginning from 1871.

The average cash earnings per man shew a low figure but it must be remembered that every person sentenced to rigorous imprisonment has been considered in the calculation and that no allowance has been made for the non-effective as sick and infirm.

The profits have fallen of late owing to less demand for jail articles and to the increasing difficulty of procuring raw materials on the spot at reasonable rates. In last year during cholera time the necessity of employing trained manufactory hands elsewhere had an unfavorable effect on profits.

This report has been hurriedly drawn up and is very imperfect. I was unwilling however to leave the station without submitting it, but I have not been able to devote that time to the subject which I am aware its importance demands.

From the Superintendent, Mysore Jail, To the Commissioner, Ashtagram Division, No. 291, dated 18th December 1874.

I have the honor to forward a list of re-convicted prisoners in jail as called for in your letter No. 824 of 8th December, forwarding a copy of the Judicial Commissioner's No. 1674—36 of 30th October and the Chief Commissioner's review on the jail administration for the year 1873.

The average number of re-convicted in the Mysore Jail from 1st January to the present *date is 12·22.

*15th

25

As will be seen by reference to the list the chief occupations are ragi grinding, water carrying, earth work, and scavengering. Of these works in this jail, water carrying is in the dry season perhaps the most irksome as the supply has to be taken from a great distance, but the other tasks are in my opinion sufficiently hard both for re-committals and for those undergoing imprisonment for "serious and heinous offences." It is very necessary however always to bear in mind that many of the prisoners in Mysore are in an indifferent state of health, and it is therefore essential to guard against the possibility of any man being taxed beyond his powers.

One explanation of the large number of re-convicted appears to be, judging from the list that prisoners after leaving jail fail to furnish security and no doubt, as pointed out by Colonel Pearse, the "moral brand" upon them "makes it difficult for them to obtain work."

MYSORE JAIL.

List of Reconvicted Prisoners in the Mysore Jail from 1*st January to* 15*th December* 1874.

No.	Register No.	Names.	Crime and Term of Sentence.	Nature of work employed on—
1	4026	Irappa ...	6 months' rigorous imprisonment for theft	Earth work.
	4070	Putta ...	2 years' do for house-breaking	do
	4094	Channa ...	6 months' do for do	Water carrying.
	4250	Narasimha ...	18 do do for theft	Scavengering.
	4020	Mada ...	One year's do for failing to furnish security for good behaviour ...	do
	4039	Govinda ...	6 months' do for theft	do
	3838	Bore Venkata ...	One year's do for do	Earth work.
	3684	Venkataramana...	15 months' do for do.	do
	4041	Putta ...	4 do do	do
	4000	Guruva ...	6 months' do for failing to furnish security for good behaviour ...	Water carrying.
	3717	Kala ...	5 years' do for dacoity	do
	3969	Narayani ...	1 do do for failing to furnish security for good behaviour ...	do
	4027	Chanvira ...	7½ months' do for theft.	do
	3970	Hayath ...	One year's do [redacted]	do
	2890	Channaboyi ...	5 years' do for dacoity	Ragi grinding.
	3988	Subba ...	6 months' do for theft	do
	3285	Naranappa ...	3 years' do for dacoity	Water carrying.
	3556	Nila ...	2 do do for house-breaking	Scavengering.
	3771	Lige Gauda ...	3 do do for false charge	Earth work.
	3916	Linga ...	9 months' do for theft	Ragi grinding.
	3783	Honna ...	One year's simple do for failing to furnish security for good behaviour ...	Earth work.
	3892	Ramanji ...	2 do rigorous do for theft	Water carrying.
	3740	Unda ...	1 do do do for failing to furnish security for good behaviour ...	do
	4098	Maiga ...	4 months' do do for house-trespass	do
	3828	Bettachari ...	One year's simple do for failing to furnish security for good behaviour ...	do
	3739	B. Katha ...	1 do rigorous do for theft	Earth work.
	4045	Manchali ...	7 do do do for causing hurt	do
	4011	Putlingi F. ...	2 do do do for receiving stolen property.	Scavengering.
	4101	Subba ...	1 do do do for house-breaking	do
	4107	Santaiya ...	1 do do do do	Ragi grinding.
	4116	Bora ...	One year's do do for failing to furnish security	Water carrying.
	4117	Nanja ...	1 do do do for do	do
	4136	Chaluva ...	6 months' simple do do do	do
	4179	Srikanta ...	14 do rigorous do do for theft	Earth work.
	4184	Linga ...	2 years' do do do	Ragi grinding.
	4258	Ira ...	1 do do do for failing to furnish security	do
	4251	Kasim ...	2 do do do for theft	do
	4216	Kalakban ...	1 do do do for failing to furnish security	do
	4206	Putta ...	1 do do do for do	do
	4180	Ramshetti ...	4 months' do do for do	Water carrying.
	4115	Narayanshetti ...	1 year's do do for do	do

96

Proceedings of the Chief Commissioner of Mysore, Judicial Department,
21st November 1876.

Province.	Average strength.	Number of Deaths from—			Ratio of Deaths from all causes per 1000 of average strength.
		Ordinary Diseases.	Cholera.	Total Deaths.	
1865	328·263	23	...	23	70·065
1866	358·265	13	2	15	36·825
1867	431·860	26	...	26	60·204
1868	357·142	52	...	52	145·603
1869	263·596	16	...	16	64·492
1870	248·312	2	...	2	8·054
1871	267·139	12	1	13	48·663
1872	296·725	5	..	5	16·850
1873	280·172	12	...	12	42·838
1874	298·901	16	...	16	53·529
1875	278·938	16	15	31	111·135

Expenditure.

Mysore Jail.	Gross Cost per head of average strength.	Actual Cash Earnings per head of average strength.	Net Cost to Government.
1871	84 5 9	3 5 11	80 5 10
1872	78 0 1	5 2 9	72 13 4
1873	83 10 1	4 1 3	79 8 10
1874	103 11 11	7 2 5	96 9 6
1875	81 4 6	5 1 5	76 3 1

From the Superintendent, Shimoga Jail, To the Judicial Commissioner in Mysore, No. 600, dated Shimoga, 21st August 1876.

With reference to your letter No. 898—26 of the 1st instant, forwarding copy of Secretary's No. 4397—J. 46 of the 28th ultimo with enclosure, I have the honor to submit the following report connected with the prison discipline of this jail.

System of discipline.

The system of discipline adopted in this jail is, as far as circumstances will allow, in accordance with that in the Central Jail, and has been improved last year after Dr. McGann's return from officiating at the Central Jail.

These improvements, though perhaps small in themselves, have tended to bring the prisoners under better supervision. They are, drilling the new admissions, having the No. of ward class, No. of occupation and register No. on their caps, as well as distinguishing marks for recommittals and bad characters.

Distinction of classes.

Owing to the greater part of the work being extramural, any distinction in the way of classes has been found to be almost impracticable, and until intramural work is more resorted to (which will in all probability be the case when the new work shed is built) no attempt at classification can be made. The most remunerative work being that of carpentry and smithy, the long-term prisoners are mainly employed on these. The short-term men are for the most part employed on extramural work, which in only a few cases can be task work, in consequence of which their sentences are not sufficiently reformatory. This could be remedied to a great extent, if manufactures not dependent on local influences were to be commenced with.

The table annexed in the margin shews the average number of prisoners under different classes, for the last three years.

Under 3 months.	Above 3 months and not exceeding 3 years.	Above 3 years.
119·33.	178.67.	62·67.

Recommittals.

Recommittals as a rule are during the day separated from other prisoners and put to grinding 30 seers of ragi in separate confinement as there is always a certain number of prisoners required for this work, and it has been found to work well with this class of prisoners having a stringent effect on them.

Suitable buildings.

Although the jail building is sufficient to accommodate the number intended for them, yet the conformation is such as will not permit of strict supervision, and therefore the maintenance of strict discipline is thwarted; and moreover to employ a larger number of long-termed men indoor would require more working accommodation, which at present does not exist.

Treatment and marks.

No marks are awarded to prisoners in this jail from the division of intra and extramural works, of which the latter claims the majority of men.

Education.

This is carried on in classes within the barrack enclosures half an hour every evening, and those convicts who have a knowledge of the language (Kanarese principally) are employed to teach the others, but the general progress is rather slow owing to the time allowed for learning being short as above stated.

Health.

Referring to the statistics of the last five years, the health of the prisoners has been good, the daily average number of sick being 4·87 with 22 deaths giving 12·20 as ratio of mortality per 1,000 of average strength. This year on account of the outbreak of cholera the average sick and mortality will be greater, as up to the end of July there have been 11·27 and 18 deaths respectively.

Description.	1871	1872	1873	1874	1875
Total treated in ...	160	74	116	174	304
Average daily sick in ...	5·19	2·72	6·10	4·21	6·16
Number of deaths in ...	10	2	*3	3	†4

* Excepting 3 under-trials.
† Do. 1 death from cholera.

Expenditure.

The total expenditure for the last three years, as per table annexed in the margin, has been Rs. 89,715—2—4, giving an average cost of Rs. 29,905—0—9 per year. The total cost per head is Rs. 218—10—5, giving an average cost of Rs. 72—14—2 per head for a year.

1873.		1874.		1875.		Average cost.	Cost per head.
Total cost.	Cost per head.	Total cost.	Cost per head.	Total cost.	Cost per head.		
28,243 5 4	71 7 5	31,381 13 10	73 11 3	30,089 0 0	73 7 9	29,905 0 9	72 14 2

Earnings.

The total earnings of the prisoners for the last three years come to Rs. 67,220—3—0, which give an average of 22,406—11—8 and the earnings per head being Rs. 52—14—0; hence the net cost to Government would be Rs. 20—0—2.

1873.		1874.		1875.		Average earnings.	Average earnings per head.	Gross cost per head.	Average earnings per head.	Average net cost to Government per head.
Total earnings.	Earnings per head.	Total earnings.	Earnings per head.	Total earnings.	Earnings per head.					
23,114 5 0	51 15 0	21,601 15 0	46 13 0	22,503 15 0	59 14 1	22,406 11 8	52 14 0	72 14 2	52 14 0	20 0 2

Diet.

The diet scales in force now are those framed by Dr. Henderson in 1868.

28

Proceedings of the Chief Commissioner of Mysore, Judicial Department, 21st November 1876.

No. 8534—JUDL. 103, DATED BANGALORE, 21ST NOVEMBER 1876.

ORDER.—The Government of India in the Home Department, in their letter No. 16—1565, dated 22nd September last, having fixed the 10th January 1877 as the date for the assembly of the Prison Committee proposed to be convened at Calcutta, the Chief Commissioner deputes Surgeon-Major J. Henderson, M. D., Superintendent of the Central Jail at Bangalore, to attend the Committee in question on the part of this Administration, and the Judicial Commissioner will be good enough to arrange accordingly.

T. CLARKE,
Offg. Secretary.

To—The Judicial Commissioner for communication to Dr. Henderson.

Ordered, that the following letter No. 85— 40, dated 21st November 1876, be addressed to the Government of India, Home Department.

T. CLARKE,
Offg. Secretary.

80

Proceedings of the Chief Commissioner of Mysore, Judicial Department,
21st November 1876.

No. 8535.
Judl. 40.

MYSORE CHIEF COMMISSIONER'S OFFICE,
BANGALORE, *21st November* 1876.

FROM

THE OFFG. SECRETARY TO THE CHIEF COMMISSIONER
OF MYSORE.

To

THE SECRETARY TO THE GOVERNMENT OF INDIA,
HOME DEPARTMENT.

SIR,

With reference to your letters marginally cited, regarding the proposed assembly of a Prison Committee at Calcutta in January next, for the purpose of discussing the subject of prison discipline, and the system of work carried on in the jails in India, I am desired to state that the Chief Commissioner concurs in the expediency of the proposed Committee, and begs to submit for the information of His Excellency the Viceroy and Governor General of India in Council, the accompanying copy of his Proceedings No. 8534—103, dated 21st November 1876, in which are embodied the reports received from the several Officers in charge of the principal jails in the Province, regarding the discipline followed in those jails; together with a report from the Judicial Commissioner in Mysore containing his views on the subject, in which Mr. Saunders entirely concurs.

No. 11—1153, dated 13th July 1876.
„ 16—1565, „ 22nd Sept. „

2. I am desired to add that Surgeon-Major J. Henderson, M. D., the Superintendent of the Central Jail at Bangalore, has been deputed to attend the Committee on the part of this Administration.

I have the honor to be
Sir,
Your most obedient Servant,

T. CLARKE,
Offg. Secretary.

81

HOME 1876. DEPT.

[ ]

From

THE OFFG. SECRETARY TO THE
CHIEF COMMISSIONER OF MYSORE.

D. 21 Jan
R.
Mysore 5/12/76

No. 8535
" 40
Enclosures.
Spare Copies.

D. No.
L. No.

Progs. { *D.* / *No.* }

Submiting copy of Proceedings embodying reports received from the Officers in charge of the principal Jails in this Province on the subject of prison discipline and the system of work carried on in the jails.

J 73

1877. C 6519

124

From The Offg. Secy. to the Govt. of India

To Home Deptt.

Dated January 1877

Despatched

Received

ENCLOSURES NO.

General No. 2 C.

No.

Requests that instructions may be issued to all persons connected with the Jails in Mysore & Coorg to furnish direct to the Secy. to the Prison Conference, and with as little delay as possible, such information as he requires regarding matters referred to him.

Mr. Caspersz for attention

Letter Rec'd 11-1-77

83

No. 2/52 C

From

Arthur Howell Esqr.

Offg Secy to the Govt of India

To

The Chief Commissioner of

Mysore and Coorg

Camp Delhi the 5th January 1877.

Home Dept.
(Judl.)

Sir,

In order to enable the Members of the Prison Conference to obtain, with the least possible delay, such information as they require regarding the matters referred to them, I am directed to request that the Inspector General of Prisons, Superintendents of Prisons and officers in Medical charge of all Jails in Mysore and Coorg may be instructed to furnish direct to the Secretary to the Conference any information he may ask for.—

I have the honor to be

Sir,

Your most obedt Servant

Arthur Howell

Offg Secy to the Govt of India.

1/173

1877. O-7288 / 867

From The Secretary to the Prison Conference Committee.

To The Secretary to the Chief Commissioner Mysore

Dated Bangalore 5th February 1877.

Despatched

Received 23

Enclosures No. 1 - 5 pp. copies

General No.

No.

Regarding to be furnished with two statements — one of the convicts in the Jails according to the nature & length of sentence, & the other of the number of prisoners in Jail on the 30 June 1876. —

Copy to Chief Commissioner for any comments

EWH

To Chief Commissioner.

7/2

23-2

22/2/77

Prison Conference, 1877.

No. 16

FROM

E. J. SINKINSON, ESQ.,

Secretary to the Prison Conference Committee.

To The Secretary to the Chief Commr
of Mysore

FORT WILLIAM, the 17th February 1877.

SIR,

I AM directed by the President and Members of the Prison Conference to request that you will with the permission of the Chief Commr be so good as to favour them with two returns to be prepared as follows. The first return should be framed exactly on the same model as Statement III. Judicial, of the jail returns, which exhibits the convicts in the jails of each Province according to the nature and length of sentence. But in the return desired, instead of taking as its basis the number of convicts who passed through the jails of your Province *during the year*, the number actually *in jail* on the 31st December 1876 (before the releases in consequence of the assumption of the title of Empress of India by Her Majesty had been made) should be taken. In other words, the distinction between the statement as now prepared and the one I am directed to ask for consists in this :—that the total of the former will be the number of convicts who passed through the jail during the year, and in the latter the total will approximate to the daily average for the Province, and show only those who were actually inside the jail walls on the 31st December last.

2. The second return should be in the following form which explains itself. It will show the number of prisoners in the jails of your Province classed according to the period of imprisonment passed by each in jail on the 30th June 1876.

Statement shewing the number of prisoners in on the 30th June 1876 according to period of imprisonment passed by each on that date.

Number of prisoners.	Six months and under.*		Over six months.	
	Male.	Female.	Male.	Female.

* This number will of course correspond to the number of admissions of convicted prisoners from 1st January 1876 to 30th June 1876, both inclusive, *less* deaths, releases and transfers.

3. The question of the amount of cellular accommodation to be provided depends almost entirely on these returns, and I am to ask that, if convenient, you will be good enough to urge on its completion as early as possible.

I have the honour to be,

SIR,

Your most obedient Servant,

Secretary to the Prison Conference Committee.

Exd.—C. A. S.

Home Dept. Press—No. 143—17-2-77—80.

F/3.

87

1877.

No 933

From The President Prison Conference Committee

To Fort William.

Dated 10th March

Despatched

Received 16/11

Rec'd ENCLOSURES NO. "

General No.

No. 22.

Adverting to letter No. 16 of 17th Ultimo, requests that the Statement referred to in Para 1 thereof may be forwarded as soon as ready.

Both the Statements called for have been received last evening, and are herewith sub.

16-3-77.

No. 22

Prison Conference Office.

Fort William, the 15th March 1877.

Memorandum.

As there may probably be some delay in compiling the statement referred to in para. 2 of the letter from this Office, No. 16 dated the 17th ultimo, the undersigned requests that the ~~Secretary to the Chief Commr of Inspector General of Jails~~, Mysore will favor him by forwarding the statement referred to in para. 1 as soon as ready. The second statement can be sent subsequently.

President, Prison Conference

To

The Secretary to Chief Commr

Mysore —

No. 3025
332

89

Mysore Jud. Commr's Office
Bangalore 16th March 1877.

From.
Section R.G.
Call No. 1 16 J. D.
Serial No. 14

L. Gordon Esqre C.S.I.
Judicial Commissioner
in Mysore.

To

The Secretary to the
Chief Commissioner of Mysore.

Sir,

In reply to your No. 1208 9/1258 dated the 27th Ultimo, annexing copy of a letter No 16 of the 17th Idem from the Secretary to the Prison conference Committee, I have the honor to forward the accompanying 2 Statements.

(1) Showing the number of prisoners in the several Jails in Mysore and Coorg on the 31st December 1876, according to the nature and length of sentence.

(2) Showing the number of Prisoners in the several Jails of Mysore and Coorg on the 30th June 1876 according to period of imprisonment passed by each on that date.

I have the honor to be
Sir
Your most obedient Servant

L. Gordon
Judicial Commissioner

15

1/1873

90

0765

1876 .. 77 .. 302

From The Judicial Commissioner in Mysore

To Secretary to Chief Commissioner, General Department.

Dated 15th March 1877.

Despatched

Received 16th

ENCLOSURES NO. 2

General No. 3025 } 1876–77.
No. 132

The Secretary's No 12089 / 1258 dated the 27th Ultimo.

Forwards the Statements called for in the above.

Assistant Secy
Pers Commr

3/1877

16/3/77

Statement shewing the Convicts on the 31st Decemr 1876, in the Several Jails in the Province of Mysore and Coorg, according to the nature and length of Sentence

1	2	3																			4				5			6
Serial Number	Jails	Classes according to length of Sentence																			Nature of Imprisonment				Total.			Serial Number
		A. Not exceeding one month		B. Above one and not exceeding six months		C. Above six months and not exceeding one year		D. Above one year and not exceeding 3 years		E. Above 3 and not exceeding 5 years		F. Above 5 and not exceeding ten years		G. Exceeding 10 years		H. Sentenced to transportation beyond Seas. For Life		H. For a term		I. Sentenced to Death		A. Simple Imprisonment		B. Rigorous Imprisonment					
		M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	Total.	
	Mysore Province																												
	Bangalore Central Jail	"	1	166	3	44	1	252	4	262	3	242	3	27	1	19	1	29	"	"	"	12	6	1029	11	1041	17	1058	
	Kolar District do	7	2	163	7	65	5	93	"	16	"	6	"	1	"	"	"	"	"	"	"	8	6	343	8	351	14	365	
	Tumkur do do	9	"	48	"	52	"	89	2	"	"	"	"	"	"	"	"	"	"	"	"	"	"	198	2	198	2	200	
	Mysore do do	9	2	27	"	35	"	115	7	47	1	42	"	1	1	1	"	"	"	"	"	2	"	275	11	277	11	288	
	Hassan do do	3	1	45	2	13	4	14	"	"	"	"	"	"	"	"	"	"	"	"	"	2	"	73	7	75	7	82	
	Shimoga do do	"	"	13	1	40	1	120	8	130	10	104	2	3	"	"	"	"	"	"	"	2	"	408	22	410	22	432	
	Kadur do do	6	"	29	"	5	"	18	"	1	"	1	"	"	"	"	"	"	"	"	"	"	"	60	4	60	"	60	
	Chitaldroog do do	4	2	27	1	4	1	27	"	5	"	1	"	"	"	"	"	"	"	"	"	1	1	67	3	68	4	72	
	Bangalore District Lockup	18	"	2	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	12	"	8	"	20	"	20	
	Taluk Lock ups in the Bangalore District	69	4	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	7	"	62	4	69	4	73	
	Kolar do	17	2	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	7	2	10	"	17	2	19	

Tumkur do	10	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	4	"	6	"	10	-	10	
Mysore do	3	1	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	3	1	3	1	4	
Hassan do	12	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	12	"	12	"	12	
Shimoga do	8	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	8	"	8	"	8	
Kadur do	4	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	4	"	4	"	4	
Chitaldrug do	16	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	16	"	16	"	16	
Coorg Province																												
District Jail at Mercara	"	1	17	5	33	"	22	"	2	"	2	"	"	"	1	"	"	"	"	"	"	"	77	6	77	6	83	
Lockups in Coorg.	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	

Mysore Judicial Commissioner's Office
Bangalore 15th March 1877.

Sd. J. D Gordon
Judicial Commissioner

Statement showing the number of Prisoners in the Several Jails and Lockups in the Provinces of Mysore and Coorg, on the 30th June 1876, according to period of imprisonment passed by each on that date

Number of Prisoners.	Six months and under		Over 6 months	
	Male	Female	Male	Female
Mysore Provinces				
Bangalore Central Jail	219	5	511	15
Kolar District Jail	57	7	76	2
Tumkur do do	29	3	45	1
Mysore do do	130	8	134	3
Hassan do do	29	6	11	4
Shimogah do do	100	3	249	17
Kadur do do	22	1	11	4
Chitaldroog do do	30	4	6	1
Bangalore District Lockups	20	4	4	4
Taluk Lockups in the Bangalore District	4	4	4	4
do do Kolar	3	4	4	4
do do Tumkur	6	4	4	4
do do Mysore	8	4	4	4
do do Hassan	2	2	4	4
do do Shimogah	1	4	4	4
do do Kadur	12	4	4	4
do do Chitaldroog	4	4	4	4
Coorg Province				
District Jail Mercara	18	7	48	4
Lock-ups in Coorg	4	4	4	4

Mysore Judicial Commissioner's Office
Bangalore 15th March 1877.

Lt.-Col. J. D. Gordon
Judicial Commissioner

No: 12,810
J. 140

92

In C. C. Office
Bhagalpur 16th March 1877.

P & E
1-76
12

To
The Secy to the
Prison Conference Committee
Calcutta

Sir,

In compliance with the request contained in your letter No 16 of the 17th ultimo, I am directed by the Chief Supdt to submit the accompanying two statements, prepared in this office, which contain the information called for viz

(1) Showing the number of prisoners in the several Jails in Bhagalpur and Coorg on the 31st December 1876 according to the nature and length of sentence.-

(2) Showing the number of prisoners in the several Jails in Bhagalpur and Coorg on the 30th June 1876 according to period of imprisonment passed by each on that date.-

I have &c
H C [illegible]
for Supdt

16/3/77 Bhl.

Copy: [illegible]
16/3

9
J 73

93

509 1877 No 12811
140

To

The Secretary to the
Prison Conference Committee
Calcutta

J

& 16th Inst.
Desp. 17th —"—
Encls: 2 Statements

No: 12810
J 140